

Exhibit 6

A-E

Exhibit 6-A

CONFIDENTIAL

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)

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15 IN RE: CATHODE RAY TUBE (CRT)
16 ANTITRUST LITIGATION

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28 Case No. 07-5944 SC
MDL No. 1917

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15 This Document Relates to:
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17 ALL INDIRECT PURCHASER ACTIONS

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28 **TOSHIBA CORPORATION'S
OBJECTIONS AND RESPONSES
TO INDIRECT PURCHASER
PLAINTIFFS' FIRST SET OF
INTERROGATORIES TO
TOSHIBA DEFENDANTS**

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28 TOSHIBA CORPORATION'S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER
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1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Court's
 2 April 3, 2012 Order re Discovery and Case Management Protocol (as modified by the Court
 3 on March 12, 2013) (collectively, the "Discovery Protocol"), Defendant Toshiba Corporation
 4 ("Toshiba Corp.") hereby submits the following Objections and Responses to Indirect
 5 Purchaser Plaintiffs' First Set of Interrogatories to Toshiba Defendants, dated August 1, 2014
 6 (the "Interrogatories").

7 Each of the following responses is made only for purposes of the actions named in the
 8 above caption. Each response is subject to all objections as to relevance, materiality and
 9 admissibility, and to any and all objections on any ground that would require exclusion of any
 10 response if it were introduced in court. All evidentiary objections and grounds are expressly
 11 reserved.

12 Each of the following responses is made on the basis of the information available at
 13 the time of service of the responses. Toshiba Corp.'s responses to these Interrogatories are
 14 subject to the provisions of the Stipulated Protective Order that the Court issued on June 18,
 15 2008 (the "Protective Order"). Toshiba Corp.'s responses are hereby designated
 16 "Confidential" in accordance with the provisions of the Protective Order.

GENERAL OBJECTIONS

18 1. Toshiba Corp. objects to the Interrogatories, including the Definitions and
 19 Instructions provided therein, to the extent they contravene the April 3, 2012 Order re
 20 Discovery and Case Management Protocol, Docket number 1128 in the MDL.

21 2. Toshiba Corp. objects to the Interrogatories, including the Definitions and
 22 Instructions provided therein, to the extent they purport to impose obligations beyond those
 23 required or permitted by the Federal Rules of Civil Procedure and the Local Rules of Practice
 24 in Civil Proceedings before the United States District Court for the Northern District of
 25 California or to the extent it is outside the scope of any order or opinion of this Court.

26 3. Toshiba Corp. objects to the Interrogatories, including the Definitions and
 27 Instructions provided therein, to the extent they call for the production of documents or
 28 information that relate to matters not raised by the pleadings, to the extent they are not

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1 material and necessary to the prosecution or defense of this action, and to the extent they are
 2 not reasonably calculated to lead to the discovery of admissible evidence.

3 4. Toshiba Corp. objects to the Interrogatories, including the Definitions and
 4 Instructions provided therein, to the extent that they are overly broad, unduly burdensome,
 5 vague, or ambiguous. Toshiba Corp. further objects to the Interrogatories, including the
 6 Definitions and Instructions provided therein, to the extent they purport to seek discovery of
 7 information from disaster recovery systems and archives.

8 5. Toshiba Corp. objects to the Interrogatories, including the Definitions and
 9 Instructions provided therein, to the extent they state and/or call for legal conclusions and/or
 10 admissions.

11 6. Toshiba Corp. objects to the Interrogatories, including the Definitions and
 12 Instructions provided therein, to the extent they call for publicly available information.

13 7. Toshiba Corp. objects to the Interrogatories, including the Definitions and
 14 Instructions provided therein, to the extent they seek information or documents protected by
 15 the attorney-client privilege, attorney work-product doctrine or any other applicable privilege,
 16 protection, immunity, or rule (collectively, "Privileged Information"). Toshiba Corp. will not
 17 disclose any Privileged Information in response to any Interrogatory. Toshiba Corp. does not
 18 intend by these Objections and Responses to waive any claim of privilege or immunity. Any
 19 inadvertent production of such material or information is not intended to, and shall not,
 20 constitute a general or specific waiver in whole or in part of those privileges or protections as
 21 to material or information inadvertently produced or the subject matter thereof. Nor is any
 22 inadvertent production intended to, nor shall it, constitute a waiver of the right to object to any
 23 use of such document or information.

24 8. Toshiba Corp. objects to the Interrogatories, including the Definitions and
 25 Instructions provided therein, to the extent they seek information, the disclosure of which
 26 would violate applicable law, including, but not limited to, privacy laws. In providing any
 27 response, Toshiba Corp. does so only to the extent allowable under applicable law.

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1 9. Toshiba Corp. objects to the Interrogatories, including the Definitions and
 2 Instructions provided therein, to the extent they seek confidential, proprietary, or trade secret
 3 information.

4 10. Toshiba Corp. objects to the Interrogatories, including the Definitions and
 5 Instructions provided therein, to the extent they seek documents or information, the disclosure
 6 of which is prohibited by contractual obligations or agreements between Toshiba Corp. and
 7 third parties.

8 11. Toshiba Corp. objects to the Interrogatories, including the Definitions and
 9 Instructions provided therein, to the extent they are oppressive or constitute an abuse of
 10 process in light of the costs imposed on Toshiba Corp. weighed against the Plaintiffs' need for
 11 the information.

12 12. Toshiba Corp. objects to the Interrogatories, including the Definitions and
 13 Instructions provided therein, to the extent they seek information which is equally accessible
 14 to Plaintiffs as to Toshiba Corp., or which has already been produced by other parties.

15 13. Toshiba Corp. objects to the Interrogatories, including the Definitions and
 16 Instructions provided therein, to the extent they seek information, the disclosure of which is
 17 prohibited by law, regulation, or order of a court or another authority of the foreign
 18 jurisdiction in which the documents or information are located.

19 14. Toshiba Corp. objects to the Interrogatories, including the Definitions and
 20 Instructions provided therein, to the extent they seek disclosure of documents or information
 21 that is not within Toshiba Corp.'s possession, custody, or control.

22 15. Toshiba Corp. objects to the Interrogatories, including the Definitions and
 23 Instructions provided therein, to the extent they are cumulative to or duplicative of other
 24 Interrogatories or Document Requests.

25 16. Toshiba Corp. objects to the Interrogatories pursuant to Civil L.R. 33-2, which
 26 states that "a demand that a party set forth the basis for a denial of an admission requested
 27 under Fed. R. Civ. P. 36 will be treated as a separate discovery request (an interrogatory) and
 28 is allowable only to the extent that a party is entitled to propound additional interrogatories."

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1 17. Toshiba Corp. objects to the Interrogatories pursuant to Rule 33(a)(1), which
 2 limits the number of interrogatories that may be served by one party on another party to 25
 3 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-
 4 interrogatory limit of Rule 33(a)(1).

5 18. Toshiba Corp.'s response to the Interrogatories is not intended to be, and shall
 6 not be construed as, an agreement or concurrence by Toshiba Corp. with the Plaintiffs'
 7 characterization of any facts, circumstances, or legal obligations. Toshiba Corp. reserves the
 8 right to contest any such characterization. Toshiba Corp. further objects to the Interrogatories
 9 to the extent they contain express or implied assumptions of fact or law with respect to
 10 matters at issue in the case.

11 19. Toshiba Corp. objects to the definition of "you" and "your" because it is vague,
 12 overly broad and unduly burdensome, as it includes persons not controlled by Toshiba Corp.,
 13 and as it seeks information that is neither relevant nor reasonably calculated to lead to the
 14 discovery of admissible information and, in addition, improperly purports to seek information
 15 from distinct corporate entities and persons not parties to the case and not controlled by
 16 Toshiba Corp. Toshiba Corp. will interpret these terms to refer to Toshiba Corp. only.
 17 Toshiba Corp. further objects to the definition of "you" and "your" to the extent it seeks
 18 information or documents protected by the attorney-client privilege, work product doctrine or
 19 any other applicable privilege, protection, immunity, or rule.

20 20. Toshiba Corp. objects to the defined term "relevant time period" to the extent
 21 that it exceeds the "class period" defined in the IPPs' Complaint, because it is overly broad,
 22 unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of
 23 admissible evidence. Toshiba Corp. also objects to the definition of "relevant time period"
 24 because it is well beyond the relevant statute of limitations. Toshiba Corp. further objects to
 25 the term "relevant time period" to the extent that it seeks documents created after this
 26 litigation began. For the purposes of responding to these Interrogatories, Toshiba Corp. will
 27 interpret the term "relevant time period" as referring to the "class period" defined in the
 28 Complaint, which is March 1, 1995 to November 25, 2007.

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1 21. Toshiba Corp. objects to the defined terms “subsidiary,” “affiliate,” and “joint
 2 venture” because they are overly broad, unduly burdensome, not relevant and not reasonably
 3 calculated to lead to the discovery of admissible evidence.

4 22. Toshiba Corp. objects to the defined term “Employee” because it is overly
 5 broad, unduly burdensome, not relevant and not reasonably calculated to lead to the discovery
 6 of admissible evidence. Toshiba Corp. further objects to the defined term “Employee” to the
 7 extent that it seeks information from distinct persons not parties to the case and not controlled
 8 by Toshiba Corp.

9 23. Discovery is ongoing. This response is being made after reasonable inquiry
 10 into the relevant facts, and is based upon the information presently known to Toshiba Corp.
 11 Further investigation and discovery may result in the identification of additional information
 12 or contentions, and Toshiba Corp. expressly reserves all rights to amend its responses and
 13 objections to Indirect Purchaser Plaintiffs’ First Set of Interrogatories as necessary. Toshiba
 14 Corp.’s responses should not be construed to prejudice its right to conduct further
 15 investigation in this case, or to limit Toshiba Corp.’s use of any additional evidence that may
 16 be developed.

OBJECTIONS AND RESPONSES TO SPECIFIC INTERROGATORIES

INTERROGATORY NO. 1:

19 State the name, address, telephone number, and relationship to you of each person
 20 who prepared or assisted in the preparation of the responses to these Interrogatories. (Do not
 21 identify anyone who simply typed or reproduced the responses.)

RESPONSE:

23 In addition to its General Objections listed above, Toshiba Corp. objects to
 24 Interrogatory No. 1 pursuant to Rule 33(a)(1), which limits the number of interrogatories that
 25 may be served by one party on another party to 25 (twenty-five), including discrete
 26 subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

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CONFIDENTIAL**INTERROGATORY NO. 2:**

Identify separately for each year from 2003 to 2009, each of MTPD's board and committees, including (a) its full name; (b) a brief description of its function; and (c) all members of that board or committee.

RESPONSE:

In addition to its General Objections listed above, Toshiba Corp. objects to Interrogatory No. 2 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit of Rule 33(a)(1).

INTERROGATORY NO. 3:

Identify, separately for each year from 2003 to 2009 each of MTPD's corporate officers, including the name of each company (including any subsidiary, affiliate, joint venture or other related entity of Toshiba) that employed such individual throughout the Relevant Time Period, his or her title, business address, the division or unit of the company where such individual worked, and a description of his or her responsibilities for each position or title held.

RESPONSE:

In addition to its General Objections listed above, Toshiba Corp. objects to Interrogatory No. 3 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Toshiba Corp. also objects to Interrogatory No. 3 to the extent it seeks information that is not within Toshiba Corp.'s possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to Toshiba Corp.

Toshiba Corp. further objects to Interrogatory No. 3 to the extent that it seeks information beyond the putative class period.

Toshiba Corp. further objects to Interrogatory No. 3 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

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1 Toshiba Corp. further objects to Interrogatory No. 3 on the ground that it is duplicative
 2 of discovery served in this litigation, which is in contravention of the Discovery Protocol,
 3 including Interrogatories Nos. 9 and 10 of DAPs' First Set of Interrogatories to the
 4 Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer
 5 Products, L.L.C., Toshiba America Electronic Components, Inc., and Toshiba America
 6 Information Systems, Inc.

7 Toshiba Corp. further objects to Interrogatory No. 3 pursuant to Rule 33(a)(1), which
 8 limits the number of interrogatories that may be served by one party on another party to 25
 9 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-
 10 interrogatory limit of Rule 33(a)(1).

11 **INTERROGATORY NO. 4:**

12 Separately for each year from 2003 to 2009, identify those employees who transferred
 13 (a) from you to MTPD; and (b) from MTPD to you. For purposes of this Interrogatory,
 14 "transferred" means the change of official employment from you to MTPD or vice versa, the
 15 change of work duties or job descriptions for the benefit of the other entity, or the relocation
 16 to a facility occupied exclusively by the other entity.

17 **RESPONSE:**

18 In addition to its General Objections listed above, Toshiba Corp. objects to
 19 Interrogatory No. 4 because it is vague, overly broad, unduly burdensome, and seeks
 20 information that is neither relevant nor reasonably calculated to lead to the discovery of
 21 admissible evidence.

22 Toshiba Corp. also objects to Interrogatory No. 4 to the extent that the term
 23 "transferred" is vague.

24 Toshiba Corp. further objects to Interrogatory No. 4 to the extent that it seeks
 25 information beyond the putative class period.

26 Toshiba Corp. further objects to Interrogatory No. 4 to the extent that it is harassing,
 27 invasive, or seeks personal confidential information, the disclosure of which is prohibited by a

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1 law, regulation, or order of a court or another authority of a foreign jurisdiction in which the
 2 information is located.

3 Toshiba Corp. further objects to Interrogatory No. 4 to the extent it seeks information
 4 that is not within Toshiba Corp.'s possession, custody, or control and because any such
 5 information is equally accessible to the Plaintiffs as to Toshiba Corp.

6 Toshiba Corp. further objects to Interrogatory No. 4 to the extent that it calls for
 7 information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

8 Toshiba Corp. further objects to Interrogatory No. 4 on the ground that it is duplicative
 9 of discovery served in this litigation, which is in contravention of the Discovery Protocol,
 10 including Interrogatory No. 10 of IPPs and DPPs' Interrogatories to Defendants Toshiba
 11 Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba
 12 America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

13 Toshiba Corp. further objects to Interrogatory No. 4 pursuant to Rule 33(a)(1), which
 14 limits the number of interrogatories that may be served by one party on another party to 25
 15 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-
 16 interrogatory limit of Rule 33(a)(1).

17 **INTERROGATORY NO. 5:**

18 List the date, nature, and amount of any payments you made from 2003 to 2009 to
 19 individuals who were employed by or worked for MTPD, and describe with specificity
 20 whether such payments occurred directly to the employee, through some social fund or other
 21 entity or governmental program.

22 **RESPONSE:**

23 In addition to its General Objections listed above, Toshiba Corp. objects to
 24 Interrogatory No. 5 because it is vague, overly broad, unduly burdensome, and seeks
 25 information that is neither relevant nor reasonably calculated to lead to the discovery of
 26 admissible evidence.

27 Toshiba Corp. also objects to Interrogatory No. 5 because the term "payment" is
 28 vague.

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1 Toshiba Corp. further objects to Interrogatory No. 5 because the terms “social fund,”
 2 “other entity,” and “governmental program” are vague.

3 Toshiba Corp. further objects to Interrogatory No. 5 to the extent that it seeks
 4 information beyond the putative class period.

5 Toshiba Corp. further objects to Interrogatory No. 5 to the extent that it is harassing,
 6 invasive, or seeks personal confidential information, the disclosure of which is prohibited by a
 7 law, regulation, or order of a court or another authority of a foreign jurisdiction in which the
 8 information is located.

9 Toshiba Corp. further objects to Interrogatory No. 5 to the extent it seeks information
 10 that is not within Toshiba Corp.’s possession, custody, or control and because any such
 11 information is equally accessible to the Plaintiffs as to Toshiba Corp.

12 Toshiba Corp. further objects to Interrogatory No. 5 to the extent that it calls for
 13 information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

14 Toshiba Corp. further objects to Interrogatory No. 5 pursuant to Rule 33(a)(1), which
 15 limits the number of interrogatories that may be served by one party on another party to 25
 16 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-
 17 interrogatory limit of Rule 33(a)(1).

18 **INTERROGATORY NO. 6:**

19 For every person identified in Interrogatory Nos. 2 and 3, state, for each year from
 20 2003 to 2009, as applicable:

- 21 i. The type or nature of any offered or accepted (a) stock option plan or other equity
 incentive plan, (b) bonus or other discretionary periodic payment, and (c) any
 other employee benefits; and
- 22 ii. the identity of each individual or company who set, maintained, funded, or
 administered his or her (a) payroll, (b) bonus or other discretionary periodic
 payment, (c) stock option plan or other equity incentive plan, and (d) and any other
 employee benefits.

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1 **RESPONSE:**

2 In addition to its General Objections listed above, Toshiba Corp. objects to
 3 Interrogatory No. 6 because it is vague, overly broad, unduly burdensome, and seeks
 4 information that is neither relevant nor reasonably calculated to lead to the discovery of
 5 admissible evidence.

6 Toshiba Corp. also objects to Interrogatory No. 6 to the extent that it is harassing,
 7 invasive, or seeks personal confidential information, the disclosure of which is prohibited by a
 8 law, regulation, or order of a court or another authority of a foreign jurisdiction in which the
 9 information is located.

10 Toshiba Corp. further objects to Interrogatory No. 6 to the extent that it seeks
 11 information beyond the putative class period.

12 Toshiba Corp. also objects to Interrogatory No. 6 to the extent it seeks information
 13 that is not within Toshiba Corp.'s possession, custody, or control and because any such
 14 information is equally accessible to the Plaintiffs as to Toshiba Corp.

15 Toshiba Corp. further objects to Interrogatory No. 6 to the extent that it calls for
 16 information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

17 Toshiba Corp. further objects to Interrogatory No. 6 pursuant to Rule 33(a)(1), which
 18 limits the number of interrogatories that may be served by one party on another party to 25
 19 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-
 20 interrogatory limit of Rule 33(a)(1).

21 **INTERROGATORY NO. 7:**

22 State, for each year from 2003 to 2009, the identity of each individual who approved
 23 or authorized MTPD's corporate operating budget, including, without limitations, the
 24 estimates of revenues, the estimates of operating and capital expenditures, and the estimates
 25 of borrowings.

26 **RESPONSE:**

27 In addition to its General Objections listed above, Toshiba Corp. objects to
 28 Interrogatory No. 7 because it is vague, overly broad, unduly burdensome, and seeks

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1 information that is neither relevant nor reasonably calculated to lead to the discovery of
 2 admissible evidence.

3 Toshiba Corp. further objects to Interrogatory No. 7 to the extent that it seeks
 4 information beyond the putative class period.

5 Toshiba Corp. also objects to Interrogatory No. 7 to the extent it seeks information
 6 that is not within Toshiba Corp.'s possession, custody, or control and because any such
 7 information is equally accessible to the Plaintiffs as to Toshiba Corp.

8 Toshiba Corp. further objects to Interrogatory No. 7 to the extent that it calls for
 9 information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

10 Toshiba Corp. further objects to Interrogatory No. 7 pursuant to Rule 33(a)(1), which
 11 limits the number of interrogatories that may be served by one party on another party to 25
 12 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-
 13 interrogatory limit of Rule 33(a)(1).

14 **INTERROGATORY NO. 8:**

15 State the identity of each individual who paid MTPD's attorney bills for legal services
 16 in connection with the investigation of MTPD's alleged involvement in the CRT cartel by
 17 government antitrust authorities in Japan, the European Union, and the United States during
 18 2006 through 2012.

19 **RESPONSE:**

20 In addition to its General Objections listed above, Toshiba Corp. objects to
 21 Interrogatory No. 8 because it is vague, overly broad, unduly burdensome, and seeks
 22 information that is neither relevant nor reasonably calculated to lead to the discovery of
 23 admissible evidence.

24 Toshiba Corp. also objects to Interrogatory No. 8 to the extent it seeks information
 25 that is not within Toshiba Corp.'s possession, custody, or control and because any such
 26 information is equally accessible to the Plaintiffs as to Toshiba Corp.

27 Toshiba Corp. further objects to Interrogatory No. 8 to the extent that it calls for
 28 information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

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1 Toshiba Corp. further objects to Interrogatory No. 8 to the extent that it seeks
 2 information or documents protected by the attorney-client privilege, attorney work-product
 3 doctrine or any other applicable privilege, protection, immunity, or rule.

4 Toshiba Corp. further objects to Interrogatory No. 8 to the extent that it seeks
 5 information beyond the putative class period.

6 Toshiba Corp. further objects to Interrogatory No. 8 to the extent that it is harassing,
 7 invasive, or seeks confidential information, the disclosure of which is prohibited by law,
 8 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 9 information is located.

10 Toshiba Corp. further objects to Interrogatory No. 8 pursuant to Rule 33(a)(1), which
 11 limits the number of interrogatories that may be served by one party on another party to 25
 12 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-
 13 interrogatory limit of Rule 33(a)(1).

14 **INTERROGATORY NO. 9:**

15 Identify any Toshiba entity which purchased CRTs manufactured by MTPD from
 16 2003 to 2009.

17 **RESPONSE:**

18 In addition to its General Objections listed above, Toshiba Corp. objects to
 19 Interrogatory No. 9 because it is vague, overly broad, unduly burdensome, and seeks
 20 information that is neither relevant nor reasonably calculated to lead to the discovery of
 21 admissible evidence.

22 Toshiba Corp. also objects to Interrogatory No. 9 to the extent it seeks information
 23 regarding sales outside the United States and unrelated to United States commerce, as such
 24 sales are beyond the scope of this litigation and requesting such information renders
 25 Interrogatory No. 9 overly broad, unduly burdensome, and not reasonably calculated to lead
 26 to the discovery of admissible evidence.

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1 Toshiba Corp. also objects to Interrogatory No. 9 to the extent it seeks information
 2 that is not within Toshiba Corp.'s possession, custody, or control and because any such
 3 information is equally accessible to the Plaintiffs as to Toshiba Corp.

4 Toshiba Corp. further objects to Interrogatory No. 9 to the extent that it calls for
 5 information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

6 Toshiba Corp. further objects to Interrogatory No. 9 to the extent that it seeks
 7 information beyond the putative class period.

8 Toshiba Corp. further objects to Interrogatory No. 9 on the ground that it is duplicative
 9 of discovery served in this litigation, which is in contravention of the Discovery Protocol,
 10 including Interrogatory No. 11 to the IPPs and DPPs' Interrogatories to Defendants Toshiba
 11 Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba
 12 America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

13 Toshiba Corp. further objects to Interrogatory No. 9 pursuant to Rule 33(a)(1), which
 14 limits the number of interrogatories that may be served by one party on another party to 25
 15 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-
 16 interrogatory limit of Rule 33(a)(1).

INTERROGATORY NO. 10:

18 For every purchaser identified in Interrogatory No. 9, describe with specificity the
 19 pricing mechanism or decision process by which MTPD decided on the price for those sold
 20 CRTs, and how it differed, if at all, from the pricing mechanism or decision process employed
 21 for non- Toshiba affiliated purchasers of CRTs.

RESPONSE:

23 In addition to its General Objections listed above, Toshiba Corp. objects to
 24 Interrogatory No. 10 because it is vague, overly broad, unduly burdensome, and seeks
 25 information that is neither relevant nor reasonably calculated to lead to the discovery of
 26 admissible evidence.

27 Toshiba Corp. also objects to Interrogatory No. 10 to the extent it seeks information
 28 regarding sales outside the United States and unrelated to United States commerce, as such

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1 sales are beyond the scope of this litigation and requesting such information renders
 2 Interrogatory No. 10 overly broad, unduly burdensome, and not reasonably calculated to lead
 3 to the discovery of admissible evidence.

4 Toshiba Corp. also objects to Interrogatory No. 10 to the extent it seeks information
 5 that is not within Toshiba Corp.'s possession, custody, or control and because any such
 6 information is equally accessible to the Plaintiffs as to Toshiba Corp.

7 Toshiba Corp. further objects to the term "pricing mechanism or decision process"
 8 because it is vague.

9 Toshiba Corp. further objects to Interrogatory No. 10 to the extent that it calls for
 10 information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

11 Toshiba Corp. further objects to Interrogatory No. 10 to the extent that it seeks
 12 information beyond the putative class period.

13 Toshiba Corp. further objects to Interrogatory No. 10 on the ground that it is
 14 duplicative of discovery served in this litigation, which is in contravention of the Discovery
 15 Protocol, including Interrogatory No. 11 of the IPPs and DPPs' Interrogatories to Defendants
 16 Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C.,
 17 Toshiba America Information Systems, Inc., and Toshiba America Electronic Components,
 18 Inc.

19 Toshiba Corp. further objects to Interrogatory No. 10 pursuant to Rule 33(a)(1), which
 20 limits the number of interrogatories that may be served by one party on another party to 25
 21 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-
 22 interrogatory limit of Rule 33(a)(1)

23 **INTERROGATORY NO. 11:**

24 List, for each year from 2003 to 2009, the name, term and nature of every service level
 25 agreement or other contract relating to professional services you entered into with MTPD
 26 (including, without limitations, contracts for legal, fiscal, tax, treasury, insurance, human
 27 resources, accounting and sales support services).

28

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1 **RESPONSE:**

2 In addition to its General Objections listed above, Toshiba Corp. objects to
 3 Interrogatory No. 11 because it is vague, overly broad, unduly burdensome, and seeks
 4 information that is neither relevant nor reasonably calculated to lead to the discovery of
 5 admissible evidence.

6 Toshiba Corp. also objects to Interrogatory No. 11 to the extent it seeks information
 7 that is not within Toshiba Corp.'s possession, custody, or control and because any such
 8 information is equally accessible to the Plaintiffs as to Toshiba Corp.

9 Toshiba Corp. further objects to the terms "service level agreement," and "other
 10 contract relating to professional services" because they are vague.

11 Toshiba Corp. further objects to Interrogatory No. 11 to the extent that it calls for
 12 information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

13 Toshiba Corp. further objects to Interrogatory No. 11 to the extent that it seeks
 14 information beyond the putative class period.

15 Toshiba Corp. further objects to Interrogatory No. 11 to the extent that it is harassing,
 16 invasive, or seeks confidential information, the disclosure of which is prohibited by law,
 17 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 18 information is located.

19 Toshiba Corp. further objects to Interrogatory No. 11 pursuant to Rule 33(a)(1), which
 20 limits the number of interrogatories that may be served by one party on another party to 25
 21 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-
 22 interrogatory limit of Rule 33(a)(1).

23 **INTERROGATORY NO. 12:**

24 State the date, amount and interest rate (if applicable) of each capital or equity
 25 injection, loan or other financial contribution you provided to MTPD.

26 **RESPONSE:**

27 In addition to its General Objections listed above, Toshiba Corp. objects to
 28 Interrogatory No. 12 because it is vague, overly broad, unduly burdensome, and seeks

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1 information that is neither relevant nor reasonably calculated to lead to the discovery of
 2 admissible evidence.

3 Toshiba Corp. also objects to Interrogatory No. 12 to the extent it seeks information
 4 that is not within Toshiba Corp.'s possession, custody, or control and because any such
 5 information is equally accessible to the Plaintiffs as to Toshiba Corp.

6 Toshiba Corp. further objects to the terms "capital or equity injection, loan or other
 7 financial contribution" because they are vague.

8 Toshiba Corp. further objects to Interrogatory No. 12 to the extent that it calls for
 9 information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

10 Toshiba Corp. further objects to Interrogatory No. 12 to the extent that it seeks
 11 information beyond the putative class period.

12 Toshiba Corp. further objects to Interrogatory No. 12 to the extent that it is harassing,
 13 invasive, or seeks confidential information, the disclosure of which is prohibited by law,
 14 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 15 information is located.

16 Toshiba Corp. further objects to Interrogatory No. 12 pursuant to Rule 33(a)(1), which
 17 limits the number of interrogatories that may be served by one party on another party to 25
 18 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-
 19 interrogatory limit of Rule 33(a)(1).

20 **INTERROGATORY NO. 13:**

21 State the date and amount of any guarantees you made on behalf of MPTD, including
 22 the third party to whom the guarantee(s) were made.

23 **RESPONSE:**

24 In addition to its General Objections listed above, Toshiba Corp. objects to
 25 Interrogatory No. 13 because it is vague, overly broad, unduly burdensome, and seeks
 26 information that is neither relevant nor reasonably calculated to lead to the discovery of
 27 admissible evidence.

28

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1 Toshiba Corp. also objects to Interrogatory No. 13 to the extent it seeks information
 2 that is not within Toshiba Corp.'s possession, custody, or control and because any such
 3 information is equally accessible to the Plaintiffs as to Toshiba Corp.

4 Toshiba Corp. further objects to Interrogatory No. 13 to the extent that it calls for
 5 information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

6 Toshiba Corp. further objects to the term "guarantee" because it is vague.

7 Toshiba Corp. further objects to Interrogatory No. 13 because its inclusion of the term
 8 "MPTD" renders it vague.

9 Toshiba Corp. further objects to Interrogatory No. 13 to the extent that it seeks
 10 information beyond the putative class period.

11 Toshiba Corp. further objects to Interrogatory No. 13 to the extent that it is harassing,
 12 invasive, or seeks confidential information, the disclosure of which is prohibited by law,
 13 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 14 information is located.

15 Toshiba Corp. further objects to Interrogatory No. 13 pursuant to Rule 33(a)(1), which
 16 limits the number of interrogatories that may be served by one party on another party to 25
 17 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-
 18 interrogatory limit of Rule 33(a)(1).

INTERROGATORY NO. 14:

20 List, for each year from 2003 to 2009, the dates, insured amount, listed beneficiaries,
 21 coverages and insurance carrier of any directors and officers (D&O) liability insurance
 22 covering board members and executives of MPTD, and identify which company (including
 23 any subsidiary, affiliate, joint venture or other related entity of Toshiba) paid the insurance
 24 premiums.

RESPONSE:

26 In addition to its General Objections listed above, Toshiba Corp. objects to
 27 Interrogatory No. 14 because it is vague, overly broad, unduly burdensome, and seeks
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1 information that is neither relevant nor reasonably calculated to lead to the discovery of
2 admissible evidence.

3 Toshiba Corp. also objects to Interrogatory No. 14 to the extent it seeks information
4 that is not within Toshiba Corp.'s possession, custody, or control and because any such
5 information is equally accessible to the Plaintiffs as to Toshiba Corp.

6 Toshiba Corp. further objects to Interrogatory No. 14 to the extent that it calls for
7 information regarding distinct corporate entities and persons not controlled by Toshiba Corp.

8 Toshiba Corp. further objects to Interrogatory No. 14 to the extent that it seeks
9 information beyond the putative class period.

10 Toshiba Corp. further objects to Interrogatory No. 14 to the extent that it is harassing,
11 invasive, or seeks confidential information, the disclosure of which is prohibited by law,
12 regulation, or order of a court or another authority of a foreign jurisdiction in which the
13 information is located.

14 Toshiba Corp. also objects to Interrogatory No. 14 pursuant to Rule 33(a)(1), which
15 limits the number of interrogatories that may be served by one party on another party to 25
16 (twenty-five), including discrete subparts. Plaintiffs have already exceeded the 25-
17 interrogatory limit of Rule 33(a)(1).

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2 Dated: September 5, 2014

WHITE & CASE LLP

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4 By:



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TOSHIBA CORPORATION'S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER
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CERTIFICATE OF SERVICE

On September 5, 2014, I caused a copy of the “TOSHIBA CORPORATION’S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER PLAINTIFFS’ FIRST SET OF INTERROGATORIES TO TOSHIBA DEFENDANTS” to be served via e-mail upon:

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TOSHIBA CORPORATION'S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER PLAINTIFFS' FIRST SET OF INTERROGATORIES TO TOSHIBA DEFENDANTS

INTERROGATORIES

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1 ALL DEFENSE COUNSEL
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TOSHIBA CORPORATION'S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER
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Exhibit 6-B

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15 *Counsel to Defendant*
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)

14
15 IN RE: CATHODE RAY TUBE (CRT)
16 ANTITRUST LITIGATION

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28 Case No. 07-5944 SC
MDL No. 1917

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15 This Document Relates to:
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17 ALL INDIRECT PURCHASER ACTIONS

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28 **TOSHIBA AMERICA, INC.'S
OBJECTIONS AND RESPONSES
TO INDIRECT PURCHASER
PLAINTIFFS' FIRST SET OF
INTERROGATORIES TO
TOSHIBA DEFENDANTS**

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28 TOSHIBA AMERICA, INC.'S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER
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1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Court's
 2 April 3, 2012 Order re Discovery and Case Management Protocol (as modified by the Court
 3 on March 12, 2013) (collectively, the "Discovery Protocol"), Defendant Toshiba America,
 4 Inc. ("TAI") hereby submits the following Objections and Responses to Indirect Purchaser
 5 Plaintiffs' First Set of Interrogatories to Toshiba Defendants, dated August 1, 2014 (the
 6 "Interrogatories").

7 Each of the following responses is made only for purposes of the actions named in the
 8 above caption. Each response is subject to all objections as to relevance, materiality and
 9 admissibility, and to any and all objections on any ground that would require exclusion of any
 10 response if it were introduced in court. All evidentiary objections and grounds are expressly
 11 reserved.

12 Each of the following responses is made on the basis of the information available at
 13 the time of service of the responses. TAI's responses to these Interrogatories are subject to
 14 the provisions of the Stipulated Protective Order that the Court issued on June 18, 2008 (the
 15 "Protective Order"). TAI's responses are hereby designated "Confidential" in accordance
 16 with the provisions of the Protective Order.

GENERAL OBJECTIONS

18 1. TAI objects to the Interrogatories, including the Definitions and Instructions
 19 provided therein, to the extent they contravene the April 3, 2012 Order re Discovery and Case
 20 Management Protocol, Docket number 1128 in the MDL.

21 2. TAI objects to the Interrogatories, including the Definitions and Instructions
 22 provided therein, to the extent they purport to impose obligations beyond those required or
 23 permitted by the Federal Rules of Civil Procedure and the Local Rules of Practice in Civil
 24 Proceedings before the United States District Court for the Northern District of California or
 25 to the extent it is outside the scope of any order or opinion of this Court.

26 3. TAI objects to the Interrogatories, including the Definitions and Instructions
 27 provided therein, to the extent they call for the production of documents or information that
 28 relate to matters not raised by the pleadings, to the extent they are not material and necessary

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1 to the prosecution or defense of this action, and to the extent they are not reasonably
 2 calculated to lead to the discovery of admissible evidence.

3 4. TAI objects to the Interrogatories, including the Definitions and Instructions
 4 provided therein, to the extent that they are overly broad, unduly burdensome, vague, or
 5 ambiguous. TAI further objects to the Interrogatories, including the Definitions and
 6 Instructions provided therein, to the extent they purport to seek discovery of information from
 7 disaster recovery systems and archives.

8 5. TAI objects to the Interrogatories, including the Definitions and Instructions
 9 provided therein, to the extent they state and/or call for legal conclusions and/or admissions.

10 6. TAI objects to the Interrogatories, including the Definitions and Instructions
 11 provided therein, to the extent they call for publicly available information.

12 7. TAI objects to the Interrogatories, including the Definitions and Instructions
 13 provided therein, to the extent they seek information or documents protected by the attorney-
 14 client privilege, attorney work-product doctrine or any other applicable privilege, protection,
 15 immunity, or rule (collectively, "Privileged Information"). TAI will not disclose any
 16 Privileged Information in response to any Interrogatory. TAI does not intend by these
 17 Objections and Responses to waive any claim of privilege or immunity. Any inadvertent
 18 production of such material or information is not intended to, and shall not, constitute a
 19 general or specific waiver in whole or in part of those privileges or protections as to material
 20 or information inadvertently produced or the subject matter thereof. Nor is any inadvertent
 21 production intended to, nor shall it, constitute a waiver of the right to object to any use of such
 22 document or information.

23 8. TAI objects to the Interrogatories, including the Definitions and Instructions
 24 provided therein, to the extent they seek information, the disclosure of which would violate
 25 applicable law, including, but not limited to, privacy laws. In providing any response, TAI
 26 does so only to the extent allowable under applicable law.

27 9. TAI objects to the Interrogatories, including the Definitions and Instructions
 28 provided therein, to the extent they seek confidential, proprietary, or trade secret information.

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1 10. TAI objects to the Interrogatories, including the Definitions and Instructions
 2 provided therein, to the extent they seek documents or information, the disclosure of which is
 3 prohibited by contractual obligations or agreements between TAI and third parties.

4 11. TAI objects to the Interrogatories, including the Definitions and Instructions
 5 provided therein, to the extent they are oppressive or constitute an abuse of process in light of
 6 the costs imposed on TAI weighed against the Plaintiffs' need for the information.

7 12. TAI objects to the Interrogatories, including the Definitions and Instructions
 8 provided therein, to the extent they seek information which is equally accessible to Plaintiffs
 9 as to TAI, or which has already been produced by other parties.

10 13. TAI objects to the Interrogatories, including the Definitions and Instructions
 11 provided therein, to the extent they seek information, the disclosure of which is prohibited by
 12 law, regulation, or order of a court or another authority of the foreign jurisdiction in which the
 13 documents or information are located.

14 14. TAI objects to the Interrogatories, including the Definitions and Instructions
 15 provided therein, to the extent they seek disclosure of documents or information that is not
 16 within TAI's possession, custody, or control.

17 15. TAI objects to the Interrogatories, including the Definitions and Instructions
 18 provided therein, to the extent they are cumulative to or duplicative of other Interrogatories or
 19 Document Requests.

20 16. TAI objects to the Interrogatories pursuant to Civil L.R. 33-2, which states that
 21 "a demand that a party set forth the basis for a denial of an admission requested under Fed. R.
 22 Civ. P. 36 will be treated as a separate discovery request (an interrogatory) and is allowable
 23 only to the extent that a party is entitled to propound additional interrogatories."

24 17. TAI objects to the Interrogatories pursuant to Rule 33(a)(1), which limits the
 25 number of interrogatories that may be served by one party on another party to 25 (twenty-
 26 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 27 of Rule 33(a)(1).

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TOSHIBA AMERICA, INC.'S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER
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1 18. TAI's response to the Interrogatories is not intended to be, and shall not be
 2 construed as, an agreement or concurrence by TAI with the Plaintiffs' characterization of any
 3 facts, circumstances, or legal obligations. TAI reserves the right to contest any such
 4 characterization. TAI further objects to the Interrogatories to the extent they contain express
 5 or implied assumptions of fact or law with respect to matters at issue in the case.

6 19. TAI objects to the definition of "you" and "your" because it is vague, overly
 7 broad and unduly burdensome, as it includes persons not controlled by TAI, and as it seeks
 8 information that is neither relevant nor reasonably calculated to lead to the discovery of
 9 admissible information and, in addition, improperly purports to seek information from distinct
 10 corporate entities and persons not parties to the case and not controlled by TAI. TAI will
 11 interpret these terms to refer to TAI only. TAI further objects to the definition of "you" and
 12 "your" to the extent it seeks information or documents protected by the attorney-client
 13 privilege, work product doctrine or any other applicable privilege, protection, immunity, or
 14 rule.

15 20. TAI objects to the defined term "relevant time period" to the extent that it
 16 exceeds the "class period" defined in the IPPs' Complaint, because it is overly broad, unduly
 17 burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible
 18 evidence. TAI also objects to the definition of "relevant time period" because it is well
 19 beyond the relevant statute of limitations. TAI further objects to the term "relevant time
 20 period" to the extent that it seeks documents created after this litigation began. For the
 21 purposes of responding to these Interrogatories, TAI will interpret the term "relevant time
 22 period" as referring to the "class period" defined in the Complaint, which is March 1, 1995 to
 23 November 25, 2007.

24 21. TAI objects to the defined terms "subsidiary," "affiliate," and "joint venture"
 25 because they are overly broad, unduly burdensome, not relevant and not reasonably calculated
 26 to lead to the discovery of admissible evidence.

27 22. TAI objects to the defined term "Employee" because it is overly broad, unduly
 28 burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible

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1 evidence. TAI further objects to the defined term "Employee" to the extent that it seeks
 2 information from distinct persons not parties to the case and not controlled by TAI.

3 23. Discovery is ongoing. This response is being made after reasonable inquiry
 4 into the relevant facts, and is based upon the information presently known to TAI. Further
 5 investigation and discovery may result in the identification of additional information or
 6 contentions, and TAI expressly reserves all rights to amend its responses and objections to
 7 Indirect Purchaser Plaintiffs' First Set of Interrogatories as necessary. TAI's responses should
 8 not be construed to prejudice its right to conduct further investigation in this case, or to limit
 9 TAI's use of any additional evidence that may be developed.

10 **OBJECTIONS AND RESPONSES TO SPECIFIC INTERROGATORIES**

11 **INTERROGATORY NO. 1:**

12 State the name, address, telephone number, and relationship to you of each person
 13 who prepared or assisted in the preparation of the responses to these Interrogatories. (Do not
 14 identify anyone who simply typed or reproduced the responses.)

15 **RESPONSE:**

16 In addition to its General Objections listed above, TAI objects to Interrogatory No. 1
 17 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by
 18 one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have
 19 already exceeded the 25-interrogatory limit of Rule 33(a)(1).

20 **INTERROGATORY NO. 2:**

21 Identify separately for each year from 2003 to 2009, each of MTPD's board and
 22 committees, including (a) its full name; (b) a brief description of its function; and (c) all
 23 members of that board or committee.

24 **RESPONSE:**

25 In addition to its General Objections listed above, TAI objects to Interrogatory No. 2
 26 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by
 27 one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have
 28 already exceeded the 25-interrogatory limit of Rule 33(a)(1).

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1 **INTERROGATORY NO. 3:**

2 Identify, separately for each year from 2003 to 2009 each of MTPD's corporate
 3 officers, including the name of each company (including any subsidiary, affiliate, joint
 4 venture or other related entity of Toshiba) that employed such individual throughout the
 5 Relevant Time Period, his or her title, business address, the division or unit of the company
 6 where such individual worked, and a description of his or her responsibilities for each position
 7 or title held.

8 **RESPONSE:**

9 In addition to its General Objections listed above, TAI objects to Interrogatory No. 3
 10 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 11 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

12 TAI also objects to Interrogatory No. 3 to the extent it seeks information that is not
 13 within TAI's possession, custody, or control and because any such information is equally
 14 accessible to the Plaintiffs as to TAI.

15 TAI further objects to Interrogatory No. 3 to the extent that it seeks information
 16 beyond the putative class period.

17 TAI further objects to Interrogatory No. 3 to the extent that it calls for information
 18 regarding distinct corporate entities and persons not controlled by TAI.

19 TAI further objects to Interrogatory No. 3 on the ground that it is duplicative of
 20 discovery served in this litigation, which is in contravention of the Discovery Protocol,
 21 including Interrogatories Nos. 9 and 10 of DAPs' First Set of Interrogatories to the
 22 Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer
 23 Products, L.L.C., Toshiba Electronic Components, Inc., and Toshiba America Information
 24 Systems, Inc.

25 TAI further objects to Interrogatory No. 3 pursuant to Rule 33(a)(1), which limits the
 26 number of interrogatories that may be served by one party on another party to 25 (twenty-
 27 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 28 of Rule 33(a)(1).

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1 **INTERROGATORY NO. 4:**

2 Separately for each year from 2003 to 2009, identify those employees who transferred
 3 (a) from you to MTPD; and (b) from MTPD to you. For purposes of this Interrogatory,
 4 “transferred” means the change of official employment from you to MTPD or vice versa, the
 5 change of work duties or job descriptions for the benefit of the other entity, or the relocation
 6 to a facility occupied exclusively by the other entity.

7 **RESPONSE:**

8 In addition to its General Objections listed above, TAI objects to Interrogatory No. 4
 9 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 10 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

11 TAI also objects to Interrogatory No. 4 to the extent that the term “transferred” is
 12 vague.

13 TAI further objects to Interrogatory No. 4 to the extent that it seeks information
 14 beyond the putative class period.

15 TAI further objects to Interrogatory No. 4 to the extent that it is harassing, invasive, or
 16 seeks personal confidential information, the disclosure of which is prohibited by a law,
 17 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 18 information is located.

19 TAI further objects to Interrogatory No. 4 to the extent it seeks information that is not
 20 within TAI’s possession, custody, or control and because any such information is equally
 21 accessible to the Plaintiffs as to TAI.

22 TAI further objects to Interrogatory No. 4 to the extent that it calls for information
 23 regarding distinct corporate entities and persons not controlled by TAI.

24 TAI further objects to Interrogatory No. 4 on the ground that it is duplicative of
 25 discovery served in this litigation, which is in contravention of the Discovery Protocol,
 26 including Interrogatory No. 10 of IPPs and DPPs’ Interrogatories to Defendants Toshiba
 27 Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba
 28 America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

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1 TAI further objects to Interrogatory No. 4 pursuant to Rule 33(a)(1), which limits the
 2 number of interrogatories that may be served by one party on another party to 25 (twenty-
 3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 4 of Rule 33(a)(1).

5 **INTERROGATORY NO. 5:**

6 List the date, nature, and amount of any payments you made from 2003 to 2009 to
 7 individuals who were employed by or worked for MTPD, and describe with specificity
 8 whether such payments occurred directly to the employee, through some social fund or other
 9 entity or governmental program.

10 **RESPONSE:**

11 In addition to its General Objections listed above, TAI objects to Interrogatory No. 5
 12 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 13 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

14 TAI also objects to Interrogatory No. 5 because the term “payment” is vague.

15 TAI further objects to Interrogatory No. 5 because the terms “social fund,” “other
 16 entity,” and “governmental program” are vague.

17 TAI further objects to Interrogatory No. 5 to the extent that it seeks information
 18 beyond the putative class period.

19 TAI further objects to Interrogatory No. 5 to the extent that it is harassing, invasive, or
 20 seeks personal confidential information, the disclosure of which is prohibited by a law,
 21 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 22 information is located.

23 TAI further objects to Interrogatory No. 5 to the extent it seeks information that is not
 24 within TAI’s possession, custody, or control and because any such information is equally
 25 accessible to the Plaintiffs as to TAI.

26 TAI further objects to Interrogatory No. 5 to the extent that it calls for information
 27 regarding distinct corporate entities and persons not controlled by TAI.

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TOSHIBA AMERICA, INC.’S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER
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1 TAI further objects to Interrogatory No. 5 pursuant to Rule 33(a)(1), which limits the
 2 number of interrogatories that may be served by one party on another party to 25 (twenty-
 3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 4 of Rule 33(a)(1).

5 **INTERROGATORY NO. 6:**

6 For every person identified in Interrogatory Nos. 2 and 3, state, for each year from
 7 2003 to 2009, as applicable:

- 8 i. The type or nature of any offered or accepted (a) stock option plan or other equity
 incentive plan, (b) bonus or other discretionary periodic payment, and (c) any
 other employee benefits; and
- 9 ii. the identity of each individual or company who set, maintained, funded, or
 administered his or her (a) payroll, (b) bonus or other discretionary periodic
 payment, (c) stock option plan or other equity incentive plan, and (d) any other
 employee benefits.

10 **RESPONSE:**

11 In addition to its General Objections listed above, TAI objects to Interrogatory No. 6
 12 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 13 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

14 TAI also objects to Interrogatory No. 6 to the extent that it is harassing, invasive, or
 15 seeks personal confidential information, the disclosure of which is prohibited by a law,
 16 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 17 information is located.

18 TAI further objects to Interrogatory No. 6 to the extent that it seeks information
 19 beyond the putative class period.

20 TAI also objects to Interrogatory No. 6 to the extent it seeks information that is not
 21 within TAI's possession, custody, or control and because any such information is equally
 22 accessible to the Plaintiffs as to TAI.

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TOSHIBA AMERICA, INC.'S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER
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1 TAI further objects to Interrogatory No. 6 to the extent that it calls for information
 2 regarding distinct corporate entities and persons not controlled by TAI.

3 TAI further objects to Interrogatory No. 6 pursuant to Rule 33(a)(1), which limits the
 4 number of interrogatories that may be served by one party on another party to 25 (twenty-
 5 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 6 of Rule 33(a)(1).

7 **INTERROGATORY NO. 7:**

8 State, for each year from 2003 to 2009, the identity of each individual who approved
 9 or authorized MTPD's corporate operating budget, including, without limitations, the
 10 estimates of revenues, the estimates of operating and capital expenditures, and the estimates
 11 of borrowings.

12 **RESPONSE:**

13 In addition to its General Objections listed above, TAI objects to Interrogatory No. 7
 14 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 15 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

16 TAI further objects to Interrogatory No. 7 to the extent that it seeks information
 17 beyond the putative class period.

18 TAI also objects to Interrogatory No. 7 to the extent it seeks information that is not
 19 within TAI's possession, custody, or control and because any such information is equally
 20 accessible to the Plaintiffs as to TAI.

21 TAI further objects to Interrogatory No. 7 to the extent that it calls for information
 22 regarding distinct corporate entities and persons not controlled by TAI.

23 TAI further objects to Interrogatory No. 7 pursuant to Rule 33(a)(1), which limits the
 24 number of interrogatories that may be served by one party on another party to 25 (twenty-
 25 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 26 of Rule 33(a)(1).

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1 **INTERROGATORY NO. 8:**

2 State the identity of each individual who paid MTPD's attorney bills for legal services
 3 in connection with the investigation of MTPD's alleged involvement in the CRT cartel by
 4 government antitrust authorities in Japan, the European Union, and the United States during
 5 2006 through 2012.

6 **RESPONSE:**

7 In addition to its General Objections listed above, TAI objects to Interrogatory No. 8
 8 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 9 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

10 TAI also objects to Interrogatory No. 8 to the extent it seeks information that is not
 11 within TAI's possession, custody, or control and because any such information is equally
 12 accessible to the Plaintiffs as to TAI.

13 TAI further objects to Interrogatory No. 8 to the extent that it calls for information
 14 regarding distinct corporate entities and persons not controlled by TAI.

15 TAI further objects to Interrogatory No. 8 to the extent that it seeks information or
 16 documents protected by the attorney-client privilege, attorney work-product doctrine or any
 17 other applicable privilege, protection, immunity, or rule.

18 TAI further objects to Interrogatory No. 8 to the extent that it seeks information
 19 beyond the putative class period.

20 TAI further objects to Interrogatory No. 8 to the extent that it is harassing, invasive, or
 21 seeks confidential information, the disclosure of which is prohibited by law, regulation, or
 22 order of a court or another authority of a foreign jurisdiction in which the information is
 23 located.

24 TAI further objects to Interrogatory No. 8 pursuant to Rule 33(a)(1), which limits the
 25 number of interrogatories that may be served by one party on another party to 25 (twenty-
 26 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 27 of Rule 33(a)(1).

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1 **INTERROGATORY NO. 9:**

2 Identify any Toshiba entity which purchased CRTs manufactured by MTPD from
 3 2003 to 2009.

4 **RESPONSE:**

5 In addition to its General Objections listed above, TAI objects to Interrogatory No. 9
 6 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 7 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

8 TAI also objects to Interrogatory No. 9 to the extent it seeks information regarding
 9 sales outside the United States and unrelated to United States commerce, as such sales are
 10 beyond the scope of this litigation and requesting such information renders Interrogatory No.
 11 9 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of
 12 admissible evidence.

13 TAI also objects to Interrogatory No. 9 to the extent it seeks information that is not
 14 within TAI's possession, custody, or control and because any such information is equally
 15 accessible to the Plaintiffs as to TAI.

16 TAI further objects to Interrogatory No. 9 to the extent that it calls for information
 17 regarding distinct corporate entities and persons not controlled by TAI.

18 TAI further objects to Interrogatory No. 9 to the extent that it seeks information
 19 beyond the putative class period.

20 TAI further objects to Interrogatory No. 9 on the ground that it is duplicative of
 21 discovery served in this litigation, which is in contravention of the Discovery Protocol,
 22 including Interrogatory No. 11 to the IPPs and DPPs' Interrogatories to Defendants Toshiba
 23 Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba
 24 America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

25 TAI further objects to Interrogatory No. 9 pursuant to Rule 33(a)(1), which limits the
 26 number of interrogatories that may be served by one party on another party to 25 (twenty-
 27 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 28 of Rule 33(a)(1).

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1 **INTERROGATORY NO. 10:**

2 For every purchaser identified in Interrogatory No. 9, describe with specificity the
 3 pricing mechanism or decision process by which MTPD decided on the price for those sold
 4 CRTs, and how it differed, if at all, from the pricing mechanism or decision process employed
 5 for non- Toshiba affiliated purchasers of CRTs.

6 **RESPONSE:**

7 In addition to its General Objections listed above, TAI objects to Interrogatory No. 10
 8 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 9 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

10 TAI also objects to Interrogatory No. 10 to the extent it seeks information regarding
 11 sales outside the United States and unrelated to United States commerce, as such sales are
 12 beyond the scope of this litigation and requesting such information renders Interrogatory No.
 13 10 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of
 14 admissible evidence.

15 TAI also objects to Interrogatory No. 10 to the extent it seeks information that is not
 16 within TAI's possession, custody, or control and because any such information is equally
 17 accessible to the Plaintiffs as to TAI.

18 TAI further objects to the term "pricing mechanism or decision process" because it is
 19 vague.

20 TAI further objects to Interrogatory No. 10 to the extent that it calls for information
 21 regarding distinct corporate entities and persons not controlled by TAI.

22 TAI further objects to Interrogatory No. 10 to the extent that it seeks information
 23 beyond the putative class period.

24 TAI further objects to Interrogatory No. 10 on the ground that it is duplicative of
 25 discovery served in this litigation, which is in contravention of the Discovery Protocol,
 26 including Interrogatory No. 11 of the IPPs and DPPs' Interrogatories to Defendants Toshiba
 27 Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba
 28 America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

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1 TAI further objects to Interrogatory No. 10 pursuant to Rule 33(a)(1), which limits the
 2 number of interrogatories that may be served by one party on another party to 25 (twenty-
 3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 4 of Rule 33(a)(1)

5 **INTERROGATORY NO. 11:**

6 List, for each year from 2003 to 2009, the name, term and nature of every service level
 7 agreement or other contract relating to professional services you entered into with MTPD
 8 (including, without limitations, contracts for legal, fiscal, tax, treasury, insurance, human
 9 resources, accounting and sales support services).

10 **RESPONSE:**

11 In addition to its General Objections listed above, TAI objects to Interrogatory No. 11
 12 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 13 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

14 TAI also objects to Interrogatory No. 11 to the extent it seeks information that is not
 15 within TAI's possession, custody, or control and because any such information is equally
 16 accessible to the Plaintiffs as to TAI.

17 TAI further objects to the terms "service level agreement," and "other contract relating
 18 to professional services" because they are vague.

19 TAI further objects to Interrogatory No. 11 to the extent that it calls for information
 20 regarding distinct corporate entities and persons not controlled by TAI.

21 TAI further objects to Interrogatory No. 11 to the extent that it seeks information
 22 beyond the putative class period.

23 TAI further objects to Interrogatory No. 11 to the extent that it is harassing, invasive,
 24 or seeks confidential information, the disclosure of which is prohibited by law, regulation, or
 25 order of a court or another authority of a foreign jurisdiction in which the information is
 26 located.

27 TAI further objects to Interrogatory No. 11 pursuant to Rule 33(a)(1), which limits the
 28 number of interrogatories that may be served by one party on another party to 25 (twenty-

TOSHIBA AMERICA, INC.'S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER
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1 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 2 of Rule 33(a)(1).

3 **INTERROGATORY NO. 12:**

4 State the date, amount and interest rate (if applicable) of each capital or equity
 5 injection, loan or other financial contribution you provided to MTPD.

6 **RESPONSE:**

7 In addition to its General Objections listed above, TAI objects to Interrogatory No. 12
 8 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 9 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

10 TAI also objects to Interrogatory No. 12 to the extent it seeks information that is not
 11 within TAI's possession, custody, or control and because any such information is equally
 12 accessible to the Plaintiffs as to TAI.

13 TAI further objects to the terms "capital or equity injection, loan or other financial
 14 contribution" because they are vague.

15 TAI further objects to Interrogatory No. 12 to the extent that it calls for information
 16 regarding distinct corporate entities and persons not controlled by TAI.

17 TAI further objects to Interrogatory No. 12 to the extent that it seeks information
 18 beyond the putative class period.

19 TAI further objects to Interrogatory No. 12 to the extent that it is harassing, invasive,
 20 or seeks confidential information, the disclosure of which is prohibited by law, regulation, or
 21 order of a court or another authority of a foreign jurisdiction in which the information is
 22 located.

23 TAI further objects to Interrogatory No. 12 pursuant to Rule 33(a)(1), which limits the
 24 number of interrogatories that may be served by one party on another party to 25 (twenty-
 25 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 26 of Rule 33(a)(1).

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1 **INTERROGATORY NO. 13:**

2 State the date and amount of any guarantees you made on behalf of MPTD, including
 3 the third party to whom the guarantee(s) were made.

4 **RESPONSE:**

5 In addition to its General Objections listed above, TAI objects to Interrogatory No. 13
 6 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 7 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

8 TAI also objects to Interrogatory No. 13 to the extent it seeks information that is not
 9 within TAI's possession, custody, or control and because any such information is equally
 10 accessible to the Plaintiffs as to TAI.

11 TAI further objects to Interrogatory No. 13 to the extent that it calls for information
 12 regarding distinct corporate entities and persons not controlled by TAI.

13 TAI further objects to the term "guarantee" because it is vague.

14 TAI further objects to Interrogatory No. 13 because its inclusion of the term "MPTD"
 15 renders it vague.

16 TAI further objects to Interrogatory No. 13 to the extent that it seeks information
 17 beyond the putative class period.

18 TAI further objects to Interrogatory No. 13 to the extent that it is harassing, invasive,
 19 or seeks confidential information, the disclosure of which is prohibited by law, regulation, or
 20 order of a court or another authority of a foreign jurisdiction in which the information is
 21 located.

22 TAI further objects to Interrogatory No. 13 pursuant to Rule 33(a)(1), which limits the
 23 number of interrogatories that may be served by one party on another party to 25 (twenty-
 24 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 25 of Rule 33(a)(1).

26 **INTERROGATORY NO. 14:**

27 List, for each year from 2003 to 2009, the dates, insured amount, listed beneficiaries,
 28 coverages and insurance carrier of any directors and officers (D&O) liability insurance

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1 covering board members and executives of MTPD, and identify which company (including
 2 any subsidiary, affiliate, joint venture or other related entity of Toshiba) paid the insurance
 3 premiums.

4 **RESPONSE:**

5 In addition to its General Objections listed above, TAI objects to Interrogatory No. 14
 6 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 7 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

8 TAI also objects to Interrogatory No. 14 to the extent it seeks information that is not
 9 within TAI's possession, custody, or control and because any such information is equally
 10 accessible to the Plaintiffs as to TAI.

11 TAI further objects to Interrogatory No. 14 to the extent that it calls for information
 12 regarding distinct corporate entities and persons not controlled by TAI.

13 TAI further objects to Interrogatory No. 14 to the extent that it seeks information
 14 beyond the putative class period.

15 TAI further objects to Interrogatory No. 14 to the extent that it is harassing, invasive,
 16 or seeks confidential information, the disclosure of which is prohibited by law, regulation, or
 17 order of a court or another authority of a foreign jurisdiction in which the information is
 18 located.

19 TAI also objects to Interrogatory No. 14 pursuant to Rule 33(a)(1), which limits the
 20 number of interrogatories that may be served by one party on another party to 25 (twenty-
 21 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 22 of Rule 33(a)(1).

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TOSHIBA AMERICA, INC.'S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER
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2 Dated: September 5, 2014

WHITE & CASE LLP

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4 By:

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TOSHIBA AMERICA, INC.'S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER
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CERTIFICATE OF SERVICE

On September 5, 2014, I caused a copy of the “TOSHIBA AMERICA, INC.’S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER PLAINTIFFS’ FIRST SET OF INTERROGATORIES TO TOSHIBA DEFENDANTS” to be served via e-mail upon:

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TOSHIBA AMERICA, INC.'S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER PLAINTIFFS' FIRST SET OF INTERROGATORIES TO TOSHIBA DEFENDANTS

INTERROGATORIES

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1 ALL DEFENSE COUNSEL
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TOSHIBA AMERICA, INC.'S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER
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Exhibit 6-C

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10 Telephone: (202) 626-3600

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12 *Counsel to Defendant*

13 *Toshiba America Information Systems, Inc.*

14
15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 (SAN FRANCISCO DIVISION)

18
19 IN RE: CATHODE RAY TUBE (CRT)
20 ANTITRUST LITIGATION

21 Case No. 07-5944 SC
22 MDL No. 1917

23 This Document Relates to:

24 ALL INDIRECT PURCHASER ACTIONS

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28 **TOSHIBA AMERICA
INFORMATION SYSTEMS,
INC.'S OBJECTIONS AND
RESPONSES TO INDIRECT
PURCHASER PLAINTIFFS'
FIRST SET OF
INTERROGATORIES TO
TOSHIBA DEFENDANTS**

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1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Court's
 2 April 3, 2012 Order re Discovery and Case Management Protocol (as modified by the Court
 3 on March 12, 2013) (collectively, the "Discovery Protocol"), Defendant Toshiba America
 4 Information Systems, Inc. ("TAIS") hereby submits the following Objections and Responses
 5 to Indirect Purchaser Plaintiffs' First Set of Interrogatories to Toshiba Defendants, dated
 6 August 1, 2014 (the "Interrogatories").

7 Each of the following responses is made only for purposes of the actions named in the
 8 above caption. Each response is subject to all objections as to relevance, materiality and
 9 admissibility, and to any and all objections on any ground that would require exclusion of any
 10 response if it were introduced in court. All evidentiary objections and grounds are expressly
 11 reserved.

12 Each of the following responses is made on the basis of the information available at
 13 the time of service of the responses. TAIS's responses to these Interrogatories are subject to
 14 the provisions of the Stipulated Protective Order that the Court issued on June 18, 2008 (the
 15 "Protective Order"). TAIS's responses are hereby designated "Confidential" in accordance
 16 with the provisions of the Protective Order.

GENERAL OBJECTIONS

18 1. TAIS objects to the Interrogatories, including the Definitions and Instructions
 19 provided therein, to the extent they contravene the April 3, 2012 Order re Discovery and Case
 20 Management Protocol, Docket number 1128 in the MDL.

21 2. TAIS objects to the Interrogatories, including the Definitions and Instructions
 22 provided therein, to the extent they purport to impose obligations beyond those required or
 23 permitted by the Federal Rules of Civil Procedure and the Local Rules of Practice in Civil
 24 Proceedings before the United States District Court for the Northern District of California or
 25 to the extent it is outside the scope of any order or opinion of this Court.

26 3. TAIS objects to the Interrogatories, including the Definitions and Instructions
 27 provided therein, to the extent they call for the production of documents or information that
 28 relate to matters not raised by the pleadings, to the extent they are not material and necessary

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1 to the prosecution or defense of this action, and to the extent they are not reasonably
 2 calculated to lead to the discovery of admissible evidence.

3 4. TAIS objects to the Interrogatories, including the Definitions and Instructions
 4 provided therein, to the extent that they are overly broad, unduly burdensome, vague, or
 5 ambiguous. TAIS further objects to the Interrogatories, including the Definitions and
 6 Instructions provided therein, to the extent they purport to seek discovery of information from
 7 disaster recovery systems and archives.

8 5. TAIS objects to the Interrogatories, including the Definitions and Instructions
 9 provided therein, to the extent they state and/or call for legal conclusions and/or admissions.

10 6. TAIS objects to the Interrogatories, including the Definitions and Instructions
 11 provided therein, to the extent they call for publicly available information.

12 7. TAIS objects to the Interrogatories, including the Definitions and Instructions
 13 provided therein, to the extent they seek information or documents protected by the attorney-
 14 client privilege, attorney work-product doctrine or any other applicable privilege, protection,
 15 immunity, or rule (collectively, "Privileged Information"). TAIS will not disclose any
 16 Privileged Information in response to any Interrogatory. TAIS does not intend by these
 17 Objections and Responses to waive any claim of privilege or immunity. Any inadvertent
 18 production of such material or information is not intended to, and shall not, constitute a
 19 general or specific waiver in whole or in part of those privileges or protections as to material
 20 or information inadvertently produced or the subject matter thereof. Nor is any inadvertent
 21 production intended to, nor shall it, constitute a waiver of the right to object to any use of such
 22 document or information.

23 8. TAIS objects to the Interrogatories, including the Definitions and Instructions
 24 provided therein, to the extent they seek information, the disclosure of which would violate
 25 applicable law, including, but not limited to, privacy laws. In providing any response, TAIS
 26 does so only to the extent allowable under applicable law.

27 9. TAIS objects to the Interrogatories, including the Definitions and Instructions
 28 provided therein, to the extent they seek confidential, proprietary, or trade secret information.

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1 10. TAIS objects to the Interrogatories, including the Definitions and Instructions
 2 provided therein, to the extent they seek documents or information, the disclosure of which is
 3 prohibited by contractual obligations or agreements between TAIS and third parties.

4 11. TAIS objects to the Interrogatories, including the Definitions and Instructions
 5 provided therein, to the extent they are oppressive or constitute an abuse of process in light of
 6 the costs imposed on TAIS weighed against the Plaintiffs' need for the information.

7 12. TAIS objects to the Interrogatories, including the Definitions and Instructions
 8 provided therein, to the extent they seek information which is equally accessible to Plaintiffs
 9 as to TAIS, or which has already been produced by other parties.

10 13. TAIS objects to the Interrogatories, including the Definitions and Instructions
 11 provided therein, to the extent they seek information, the disclosure of which is prohibited by
 12 law, regulation, or order of a court or another authority of the foreign jurisdiction in which the
 13 documents or information are located.

14 14. TAIS objects to the Interrogatories, including the Definitions and Instructions
 15 provided therein, to the extent they seek disclosure of documents or information that is not
 16 within TAIS's possession, custody, or control.

17 15. TAIS objects to the Interrogatories, including the Definitions and Instructions
 18 provided therein, to the extent they are cumulative to or duplicative of other Interrogatories or
 19 Document Requests.

20 16. TAIS objects to the Interrogatories pursuant to Civil L.R. 33-2, which states
 21 that "a demand that a party set forth the basis for a denial of an admission requested under
 22 Fed. R. Civ. P. 36 will be treated as a separate discovery request (an interrogatory) and is
 23 allowable only to the extent that a party is entitled to propound additional interrogatories."

24 17. TAIS objects to the Interrogatories pursuant to Rule 33(a)(1), which limits the
 25 number of interrogatories that may be served by one party on another party to 25 (twenty-
 26 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 27 of Rule 33(a)(1).

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1 18. TAIS's response to the Interrogatories is not intended to be, and shall not be
 2 construed as, an agreement or concurrence by TAIS with the Plaintiffs' characterization of
 3 any facts, circumstances, or legal obligations. TAIS reserves the right to contest any such
 4 characterization. TAIS further objects to the Interrogatories to the extent they contain express
 5 or implied assumptions of fact or law with respect to matters at issue in the case.

6 19. TAIS objects to the definition of "you" and "your" because it is vague, overly
 7 broad and unduly burdensome, as it includes persons not controlled by TAIS, and as it seeks
 8 information that is neither relevant nor reasonably calculated to lead to the discovery of
 9 admissible information and, in addition, improperly purports to seek information from distinct
 10 corporate entities and persons not parties to the case and not controlled by TAIS. TAIS will
 11 interpret these terms to refer to TAIS only. TAIS further objects to the definition of "you"
 12 and "your" to the extent it seeks information or documents protected by the attorney-client
 13 privilege, work product doctrine or any other applicable privilege, protection, immunity, or
 14 rule.

15 20. TAIS objects to the defined term "relevant time period" to the extent that it
 16 exceeds the "class period" defined in the IPPs' Complaint, because it is overly broad, unduly
 17 burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible
 18 evidence. TAIS also objects to the definition of "relevant time period" because it is well
 19 beyond the relevant statute of limitations. TAIS further objects to the term "relevant time
 20 period" to the extent that it seeks documents created after this litigation began. For the
 21 purposes of responding to these Interrogatories, TAIS will interpret the term "relevant time
 22 period" as referring to the "class period" defined in the Complaint, which is March 1, 1995 to
 23 November 25, 2007.

24 21. TAIS objects to the defined terms "subsidiary," "affiliate," and "joint venture"
 25 because they are overly broad, unduly burdensome, not relevant and not reasonably calculated
 26 to lead to the discovery of admissible evidence.

27 22. TAIS objects to the defined term "Employee" because it is overly broad,
 28 unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of

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1 admissible evidence. TAIS further objects to the defined term "Employee" to the extent that
 2 it seeks information from distinct persons not parties to the case and not controlled by TAIS.

3 23. Discovery is ongoing. This response is being made after reasonable inquiry
 4 into the relevant facts, and is based upon the information presently known to TAIS. Further
 5 investigation and discovery may result in the identification of additional information or
 6 contentions, and TAIS expressly reserves all rights to amend its responses and objections to
 7 Indirect Purchaser Plaintiffs' First Set of Interrogatories as necessary. TAIS's responses
 8 should not be construed to prejudice its right to conduct further investigation in this case, or to
 9 limit TAIS's use of any additional evidence that may be developed.

10 **OBJECTIONS AND RESPONSES TO SPECIFIC INTERROGATORIES**

11 **INTERROGATORY NO. 1:**

12 State the name, address, telephone number, and relationship to you of each person
 13 who prepared or assisted in the preparation of the responses to these Interrogatories. (Do not
 14 identify anyone who simply typed or reproduced the responses.)

15 **RESPONSE:**

16 In addition to its General Objections listed above, TAIS objects to Interrogatory No. 1
 17 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by
 18 one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have
 19 already exceeded the 25-interrogatory limit of Rule 33(a)(1).

20 **INTERROGATORY NO. 2:**

21 Identify separately for each year from 2003 to 2009, each of MTPD's board and
 22 committees, including (a) its full name; (b) a brief description of its function; and (c) all
 23 members of that board or committee.

24 **RESPONSE:**

25 In addition to its General Objections listed above, TAIS objects to Interrogatory No. 2
 26 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by
 27 one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have
 28 already exceeded the 25-interrogatory limit of Rule 33(a)(1).

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1 **INTERROGATORY NO. 3:**

2 Identify, separately for each year from 2003 to 2009 each of MTPD's corporate
 3 officers, including the name of each company (including any subsidiary, affiliate, joint
 4 venture or other related entity of Toshiba) that employed such individual throughout the
 5 Relevant Time Period, his or her title, business address, the division or unit of the company
 6 where such individual worked, and a description of his or her responsibilities for each position
 7 or title held.

8 **RESPONSE:**

9 In addition to its General Objections listed above, TAIS objects to Interrogatory No. 3
 10 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 11 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

12 TAIS also objects to Interrogatory No. 3 to the extent it seeks information that is not
 13 within TAIS's possession, custody, or control and because any such information is equally
 14 accessible to the Plaintiffs as to TAIS.

15 TAIS further objects to Interrogatory No. 3 to the extent that it seeks information
 16 beyond the putative class period.

17 TAIS further objects to Interrogatory No. 3 to the extent that it calls for information
 18 regarding distinct corporate entities and persons not controlled by TAIS.

19 TAIS further objects to Interrogatory No. 3 on the ground that it is duplicative of
 20 discovery served in this litigation, which is in contravention of the Discovery Protocol,
 21 including Interrogatories Nos. 9 and 10 of DAPs' First Set of Interrogatories to the
 22 Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer
 23 Products, L.L.C., Toshiba Electronic Components, Inc., and Toshiba America Information
 24 Systems, Inc.

25 TAIS further objects to Interrogatory No. 3 pursuant to Rule 33(a)(1), which limits the
 26 number of interrogatories that may be served by one party on another party to 25 (twenty-
 27 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 28 of Rule 33(a)(1).

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1 **INTERROGATORY NO. 4:**

2 Separately for each year from 2003 to 2009, identify those employees who transferred
 3 (a) from you to MTPD; and (b) from MTPD to you. For purposes of this Interrogatory,
 4 “transferred” means the change of official employment from you to MTPD or vice versa, the
 5 change of work duties or job descriptions for the benefit of the other entity, or the relocation
 6 to a facility occupied exclusively by the other entity.

7 **RESPONSE:**

8 In addition to its General Objections listed above, TAIS objects to Interrogatory No. 4
 9 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 10 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

11 TAIS also objects to Interrogatory No. 4 to the extent that the term “transferred” is
 12 vague.

13 TAIS further objects to Interrogatory No. 4 to the extent that it seeks information
 14 beyond the putative class period.

15 TAIS further objects to Interrogatory No. 4 to the extent that it is harassing, invasive,
 16 or seeks personal confidential information, the disclosure of which is prohibited by a law,
 17 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 18 information is located.

19 TAIS further objects to Interrogatory No. 4 to the extent it seeks information that is
 20 not within TAIS’s possession, custody, or control and because any such information is equally
 21 accessible to the Plaintiffs as to TAIS.

22 TAIS further objects to Interrogatory No. 4 to the extent that it calls for information
 23 regarding distinct corporate entities and persons not controlled by TAIS.

24 TAIS further objects to Interrogatory No. 4 on the ground that it is duplicative of
 25 discovery served in this litigation, which is in contravention of the Discovery Protocol,
 26 including Interrogatory No. 10 of IPPs and DPPs’ Interrogatories to Defendants Toshiba
 27 Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba
 28 America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

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1 TAIS further objects to Interrogatory No. 4 pursuant to Rule 33(a)(1), which limits the
 2 number of interrogatories that may be served by one party on another party to 25 (twenty-
 3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 4 of Rule 33(a)(1).

5 **INTERROGATORY NO. 5:**

6 List the date, nature, and amount of any payments you made from 2003 to 2009 to
 7 individuals who were employed by or worked for MTPD, and describe with specificity
 8 whether such payments occurred directly to the employee, through some social fund or other
 9 entity or governmental program.

10 **RESPONSE:**

11 In addition to its General Objections listed above, TAIS objects to Interrogatory No. 5
 12 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 13 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

14 TAIS also objects to Interrogatory No. 5 because the term “payment” is vague.

15 TAIS further objects to Interrogatory No. 5 because the terms “social fund,” “other
 16 entity,” and “governmental program” are vague.

17 TAIS further objects to Interrogatory No. 5 to the extent that it seeks information
 18 beyond the putative class period.

19 TAIS further objects to Interrogatory No. 5 to the extent that it is harassing, invasive,
 20 or seeks personal confidential information, the disclosure of which is prohibited by a law,
 21 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 22 information is located.

23 TAIS further objects to Interrogatory No. 5 to the extent it seeks information that is
 24 not within TAIS’s possession, custody, or control and because any such information is equally
 25 accessible to the Plaintiffs as to TAIS.

26 TAIS further objects to Interrogatory No. 5 to the extent that it calls for information
 27 regarding distinct corporate entities and persons not controlled by TAIS.

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1 TAIS further objects to Interrogatory No. 5 pursuant to Rule 33(a)(1), which limits the
 2 number of interrogatories that may be served by one party on another party to 25 (twenty-
 3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 4 of Rule 33(a)(1).

5 **INTERROGATORY NO. 6:**

6 For every person identified in Interrogatory Nos. 2 and 3, state, for each year from
 7 2003 to 2009, as applicable:

- 8 i. The type or nature of any offered or accepted (a) stock option plan or other equity
 9 incentive plan, (b) bonus or other discretionary periodic payment, and (c) any
 10 other employee benefits; and
- 11 ii. the identity of each individual or company who set, maintained, funded, or
 12 administered his or her (a) payroll, (b) bonus or other discretionary periodic
 13 payment, (c) stock option plan or other equity incentive plan, and (d) any other
 14 employee benefits.

15 **RESPONSE:**

16 In addition to its General Objections listed above, TAIS objects to Interrogatory No. 6
 17 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 18 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

19 TAIS also objects to Interrogatory No. 6 to the extent that it is harassing, invasive, or
 20 seeks personal confidential information, the disclosure of which is prohibited by a law,
 21 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 22 information is located.

23 TAIS further objects to Interrogatory No. 6 to the extent that it seeks information
 24 beyond the putative class period.

25 TAIS also objects to Interrogatory No. 6 to the extent it seeks information that is not
 26 within TAIS's possession, custody, or control and because any such information is equally
 27 accessible to the Plaintiffs as to TAIS.

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1 TAIS further objects to Interrogatory No. 6 to the extent that it calls for information
 2 regarding distinct corporate entities and persons not controlled by TAIS.

3 TAIS further objects to Interrogatory No. 6 pursuant to Rule 33(a)(1), which limits the
 4 number of interrogatories that may be served by one party on another party to 25 (twenty-
 5 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 6 of Rule 33(a)(1).

7 **INTERROGATORY NO. 7:**

8 State, for each year from 2003 to 2009, the identity of each individual who approved
 9 or authorized MTPD's corporate operating budget, including, without limitations, the
 10 estimates of revenues, the estimates of operating and capital expenditures, and the estimates
 11 of borrowings.

12 **RESPONSE:**

13 In addition to its General Objections listed above, TAIS objects to Interrogatory No. 7
 14 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 15 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

16 TAIS further objects to Interrogatory No. 7 to the extent that it seeks information
 17 beyond the putative class period.

18 TAIS also objects to Interrogatory No. 7 to the extent it seeks information that is not
 19 within TAIS's possession, custody, or control and because any such information is equally
 20 accessible to the Plaintiffs as to TAIS.

21 TAIS further objects to Interrogatory No. 7 to the extent that it calls for information
 22 regarding distinct corporate entities and persons not controlled by TAIS.

23 TAIS further objects to Interrogatory No. 7 pursuant to Rule 33(a)(1), which limits the
 24 number of interrogatories that may be served by one party on another party to 25 (twenty-
 25 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 26 of Rule 33(a)(1).

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1 **INTERROGATORY NO. 8:**

2 State the identity of each individual who paid MTPD's attorney bills for legal services
 3 in connection with the investigation of MTPD's alleged involvement in the CRT cartel by
 4 government antitrust authorities in Japan, the European Union, and the United States during
 5 2006 through 2012.

6 **RESPONSE:**

7 In addition to its General Objections listed above, TAIS objects to Interrogatory No. 8
 8 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 9 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

10 TAIS also objects to Interrogatory No. 8 to the extent it seeks information that is not
 11 within TAIS's possession, custody, or control and because any such information is equally
 12 accessible to the Plaintiffs as to TAIS.

13 TAIS further objects to Interrogatory No. 8 to the extent that it calls for information
 14 regarding distinct corporate entities and persons not controlled by TAIS.

15 TAIS further objects to Interrogatory No. 8 to the extent that it seeks information or
 16 documents protected by the attorney-client privilege, attorney work-product doctrine or any
 17 other applicable privilege, protection, immunity, or rule.

18 TAIS further objects to Interrogatory No. 8 to the extent that it seeks information
 19 beyond the putative class period.

20 TAIS further objects to Interrogatory No. 8 to the extent that it is harassing, invasive,
 21 or seeks confidential information, the disclosure of which is prohibited by law, regulation, or
 22 order of a court or another authority of a foreign jurisdiction in which the information is
 23 located.

24 TAIS further objects to Interrogatory No. 8 pursuant to Rule 33(a)(1), which limits the
 25 number of interrogatories that may be served by one party on another party to 25 (twenty-
 26 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 27 of Rule 33(a)(1).

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1 **INTERROGATORY NO. 9:**

2 Identify any Toshiba entity which purchased CRTs manufactured by MTPD from
 3 2003 to 2009.

4 **RESPONSE:**

5 In addition to its General Objections listed above, TAIS objects to Interrogatory No. 9
 6 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 7 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

8 TAIS also objects to Interrogatory No. 9 to the extent it seeks information regarding
 9 sales outside the United States and unrelated to United States commerce, as such sales are
 10 beyond the scope of this litigation and requesting such information renders Interrogatory No.
 11 9 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of
 12 admissible evidence.

13 TAIS also objects to Interrogatory No. 9 to the extent it seeks information that is not
 14 within TAIS's possession, custody, or control and because any such information is equally
 15 accessible to the Plaintiffs as to TAIS.

16 TAIS further objects to Interrogatory No. 9 to the extent that it calls for information
 17 regarding distinct corporate entities and persons not controlled by TAIS.

18 TAIS further objects to Interrogatory No. 9 to the extent that it seeks information
 19 beyond the putative class period.

20 TAIS further objects to Interrogatory No. 9 on the ground that it is duplicative of
 21 discovery served in this litigation, which is in contravention of the Discovery Protocol,
 22 including Interrogatory No. 11 to the IPPs and DPPs' Interrogatories to Defendants Toshiba
 23 Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba
 24 America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

25 TAIS further objects to Interrogatory No. 9 pursuant to Rule 33(a)(1), which limits the
 26 number of interrogatories that may be served by one party on another party to 25 (twenty-
 27 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 28 of Rule 33(a)(1).

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1 **INTERROGATORY NO. 10:**

2 For every purchaser identified in Interrogatory No. 9, describe with specificity the
 3 pricing mechanism or decision process by which MTPD decided on the price for those sold
 4 CRTs, and how it differed, if at all, from the pricing mechanism or decision process employed
 5 for non- Toshiba affiliated purchasers of CRTs.

6 **RESPONSE:**

7 In addition to its General Objections listed above, TAIS objects to Interrogatory No.
 8 10 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 9 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

10 TAIS also objects to Interrogatory No. 10 to the extent it seeks information regarding
 11 sales outside the United States and unrelated to United States commerce, as such sales are
 12 beyond the scope of this litigation and requesting such information renders Interrogatory No.
 13 10 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of
 14 admissible evidence.

15 TAIS also objects to Interrogatory No. 10 to the extent it seeks information that is not
 16 within TAIS's possession, custody, or control and because any such information is equally
 17 accessible to the Plaintiffs as to TAIS.

18 TAIS further objects to the term "pricing mechanism or decision process" because it is
 19 vague.

20 TAIS further objects to Interrogatory No. 10 to the extent that it calls for information
 21 regarding distinct corporate entities and persons not controlled by TAIS.

22 TAIS further objects to Interrogatory No. 10 to the extent that it seeks information
 23 beyond the putative class period.

24 TAIS further objects to Interrogatory No. 10 on the ground that it is duplicative of
 25 discovery served in this litigation, which is in contravention of the Discovery Protocol,
 26 including Interrogatory No. 11 of the IPPs and DPPs' Interrogatories to Defendants Toshiba
 27 Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba
 28 America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

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1 TAIS further objects to Interrogatory No. 10 pursuant to Rule 33(a)(1), which limits
 2 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 4 of Rule 33(a)(1)

5 **INTERROGATORY NO. 11:**

6 List, for each year from 2003 to 2009, the name, term and nature of every service level
 7 agreement or other contract relating to professional services you entered into with MTPD
 8 (including, without limitations, contracts for legal, fiscal, tax, treasury, insurance, human
 9 resources, accounting and sales support services).

10 **RESPONSE:**

11 In addition to its General Objections listed above, TAIS objects to Interrogatory No.
 12 11 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 13 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

14 TAIS also objects to Interrogatory No. 11 to the extent it seeks information that is not
 15 within TAIS's possession, custody, or control and because any such information is equally
 16 accessible to the Plaintiffs as to TAIS.

17 TAIS further objects to the terms "service level agreement," and "other contract
 18 relating to professional services" because they are vague.

19 TAIS further objects to Interrogatory No. 11 to the extent that it calls for information
 20 regarding distinct corporate entities and persons not controlled by TAIS.

21 TAIS further objects to Interrogatory No. 11 to the extent that it seeks information
 22 beyond the putative class period.

23 TAIS further objects to Interrogatory No. 11 to the extent that it is harassing, invasive,
 24 or seeks confidential information, the disclosure of which is prohibited by law, regulation, or
 25 order of a court or another authority of a foreign jurisdiction in which the information is
 26 located.

27 TAIS further objects to Interrogatory No. 11 pursuant to Rule 33(a)(1), which limits
 28 the number of interrogatories that may be served by one party on another party to 25 (twenty-

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1 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 2 of Rule 33(a)(1).

3 **INTERROGATORY NO. 12:**

4 State the date, amount and interest rate (if applicable) of each capital or equity
 5 injection, loan or other financial contribution you provided to MTPD.

6 **RESPONSE:**

7 In addition to its General Objections listed above, TAIS objects to Interrogatory No.
 8 12 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 9 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

10 TAIS also objects to Interrogatory No. 12 to the extent it seeks information that is not
 11 within TAIS's possession, custody, or control and because any such information is equally
 12 accessible to the Plaintiffs as to TAIS.

13 TAIS further objects to the terms "capital or equity injection, loan or other financial
 14 contribution" because they are vague.

15 TAIS further objects to Interrogatory No. 12 to the extent that it calls for information
 16 regarding distinct corporate entities and persons not controlled by TAIS.

17 TAIS further objects to Interrogatory No. 12 to the extent that it seeks information
 18 beyond the putative class period.

19 TAIS further objects to Interrogatory No. 12 to the extent that it is harassing, invasive,
 20 or seeks confidential information, the disclosure of which is prohibited by law, regulation, or
 21 order of a court or another authority of a foreign jurisdiction in which the information is
 22 located.

23 TAIS further objects to Interrogatory No. 12 pursuant to Rule 33(a)(1), which limits
 24 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 25 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 26 of Rule 33(a)(1).

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1 **INTERROGATORY NO. 13:**

2 State the date and amount of any guarantees you made on behalf of MPTD, including
 3 the third party to whom the guarantee(s) were made.

4 **RESPONSE:**

5 In addition to its General Objections listed above, TAIS objects to Interrogatory No.
 6 13 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 7 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

8 TAIS also objects to Interrogatory No. 13 to the extent it seeks information that is not
 9 within TAIS's possession, custody, or control and because any such information is equally
 10 accessible to the Plaintiffs as to TAIS.

11 TAIS further objects to Interrogatory No. 13 to the extent that it calls for information
 12 regarding distinct corporate entities and persons not controlled by TAIS.

13 TAIS further objects to the term "guarantee" because it is vague.

14 TAIS further objects to Interrogatory No. 13 because its inclusion of the term
 15 "MPTD" renders it vague.

16 TAIS further objects to Interrogatory No. 13 to the extent that it seeks information
 17 beyond the putative class period.

18 TAIS further objects to Interrogatory No. 13 to the extent that it is harassing, invasive,
 19 or seeks confidential information, the disclosure of which is prohibited by law, regulation, or
 20 order of a court or another authority of a foreign jurisdiction in which the information is
 21 located.

22 TAIS further objects to Interrogatory No. 13 pursuant to Rule 33(a)(1), which limits
 23 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 24 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 25 of Rule 33(a)(1).

26 **INTERROGATORY NO. 14:**

27 List, for each year from 2003 to 2009, the dates, insured amount, listed beneficiaries,
 28 coverages and insurance carrier of any directors and officers (D&O) liability insurance

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1 covering board members and executives of MTPD, and identify which company (including
2 any subsidiary, affiliate, joint venture or other related entity of Toshiba) paid the insurance
3 premiums.

4 **RESPONSE:**

5 In addition to its General Objections listed above, TAIS objects to Interrogatory No.
6 14 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
7 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

8 TAIS also objects to Interrogatory No. 14 to the extent it seeks information that is not
9 within TAIS's possession, custody, or control and because any such information is equally
10 accessible to the Plaintiffs as to TAIS.

11 TAIS further objects to Interrogatory No. 14 to the extent that it calls for information
12 regarding distinct corporate entities and persons not controlled by TAIS.

13 TAIS further objects to Interrogatory No. 14 to the extent that it seeks information
14 beyond the putative class period.

15 TAIS further objects to Interrogatory No. 14 to the extent that it is harassing, invasive,
16 or seeks confidential information, the disclosure of which is prohibited by law, regulation, or
17 order of a court or another authority of a foreign jurisdiction in which the information is
18 located.

19 TAIS also objects to Interrogatory No. 14 pursuant to Rule 33(a)(1), which limits the
20 number of interrogatories that may be served by one party on another party to 25 (twenty-
21 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
22 of Rule 33(a)(1).

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1

2 Dated: September 5, 2014

WHITE & CASE LLP

3

4 By:



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CERTIFICATE OF SERVICE

On September 5, 2014, I caused a copy of the "TOSHIBA AMERICA INFORMATION SYSTEMS, INC.'S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER PLAINTIFFS' FIRST SET OF INTERROGATORIES TO TOSHIBA DEFENDANTS" to be served via e-mail upon:

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Exhibit 6-D

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Case No. 07-5944 SC
MDL No. 1917

This Document Relates to:

ALL INDIRECT PURCHASER ACTIONS

**TOSHIBA AMERICA
CONSUMER PRODUCTS,
L.L.C.'S OBJECTIONS AND
RESPONSES TO INDIRECT
PURCHASER PLAINTIFFS'
FIRST SET OF
INTERROGATORIES TO
TOSHIBA DEFENDANTS**

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1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Court's
 2 April 3, 2012 Order re Discovery and Case Management Protocol (as modified by the Court
 3 on March 12, 2013) (collectively, the "Discovery Protocol"), Defendant Toshiba America
 4 Consumer Products, L.L.C. ("TACP") hereby submits the following Objections and
 5 Responses to Indirect Purchaser Plaintiffs' First Set of Interrogatories to Toshiba Defendants,
 6 dated August 1, 2014 (the "Interrogatories").

7 Each of the following responses is made only for purposes of the actions named in the
 8 above caption. Each response is subject to all objections as to relevance, materiality and
 9 admissibility, and to any and all objections on any ground that would require exclusion of any
 10 response if it were introduced in court. All evidentiary objections and grounds are expressly
 11 reserved.

12 Each of the following responses is made on the basis of the information available at
 13 the time of service of the responses. TACP's responses to these Interrogatories are subject to
 14 the provisions of the Stipulated Protective Order that the Court issued on June 18, 2008 (the
 15 "Protective Order"). TACP's responses are hereby designated "Confidential" in accordance
 16 with the provisions of the Protective Order.

GENERAL OBJECTIONS

18 1. TACP objects to the Interrogatories, including the Definitions and Instructions
 19 provided therein, to the extent they contravene the April 3, 2012 Order re Discovery and Case
 20 Management Protocol, Docket number 1128 in the MDL.

21 2. TACP objects to the Interrogatories, including the Definitions and Instructions
 22 provided therein, to the extent they purport to impose obligations beyond those required or
 23 permitted by the Federal Rules of Civil Procedure and the Local Rules of Practice in Civil
 24 Proceedings before the United States District Court for the Northern District of California or
 25 to the extent it is outside the scope of any order or opinion of this Court.

26 3. TACP objects to the Interrogatories, including the Definitions and Instructions
 27 provided therein, to the extent they call for the production of documents or information that
 28 relate to matters not raised by the pleadings, to the extent they are not material and necessary

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1 to the prosecution or defense of this action, and to the extent they are not reasonably
 2 calculated to lead to the discovery of admissible evidence.

3 4. TACP objects to the Interrogatories, including the Definitions and Instructions
 4 provided therein, to the extent that they are overly broad, unduly burdensome, vague, or
 5 ambiguous. TACP further objects to the Interrogatories, including the Definitions and
 6 Instructions provided therein, to the extent they purport to seek discovery of information from
 7 disaster recovery systems and archives.

8 5. TACP objects to the Interrogatories, including the Definitions and Instructions
 9 provided therein, to the extent they state and/or call for legal conclusions and/or admissions.

10 6. TACP objects to the Interrogatories, including the Definitions and Instructions
 11 provided therein, to the extent they call for publicly available information.

12 7. TACP objects to the Interrogatories, including the Definitions and Instructions
 13 provided therein, to the extent they seek information or documents protected by the attorney-
 14 client privilege, attorney work-product doctrine or any other applicable privilege, protection,
 15 immunity, or rule (collectively, "Privileged Information"). TACP will not disclose any
 16 Privileged Information in response to any Interrogatory. TACP does not intend by these
 17 Objections and Responses to waive any claim of privilege or immunity. Any inadvertent
 18 production of such material or information is not intended to, and shall not, constitute a
 19 general or specific waiver in whole or in part of those privileges or protections as to material
 20 or information inadvertently produced or the subject matter thereof. Nor is any inadvertent
 21 production intended to, nor shall it, constitute a waiver of the right to object to any use of such
 22 document or information.

23 8. TACP objects to the Interrogatories, including the Definitions and Instructions
 24 provided therein, to the extent they seek information, the disclosure of which would violate
 25 applicable law, including, but not limited to, privacy laws. In providing any response, TACP
 26 does so only to the extent allowable under applicable law.

27 9. TACP objects to the Interrogatories, including the Definitions and Instructions
 28 provided therein, to the extent they seek confidential, proprietary, or trade secret information.

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1 10. TACP objects to the Interrogatories, including the Definitions and Instructions
 2 provided therein, to the extent they seek documents or information, the disclosure of which is
 3 prohibited by contractual obligations or agreements between TACP and third parties.

4 11. TACP objects to the Interrogatories, including the Definitions and Instructions
 5 provided therein, to the extent they are oppressive or constitute an abuse of process in light of
 6 the costs imposed on TACP weighed against the Plaintiffs' need for the information.

7 12. TACP objects to the Interrogatories, including the Definitions and Instructions
 8 provided therein, to the extent they seek information which is equally accessible to Plaintiffs
 9 as to TACP, or which has already been produced by other parties.

10 13. TACP objects to the Interrogatories, including the Definitions and Instructions
 11 provided therein, to the extent they seek information, the disclosure of which is prohibited by
 12 law, regulation, or order of a court or another authority of the foreign jurisdiction in which the
 13 documents or information are located.

14 14. TACP objects to the Interrogatories, including the Definitions and Instructions
 15 provided therein, to the extent they seek disclosure of documents or information that is not
 16 within TACP's possession, custody, or control.

17 15. TACP objects to the Interrogatories, including the Definitions and Instructions
 18 provided therein, to the extent they are cumulative to or duplicative of other Interrogatories or
 19 Document Requests.

20 16. TACP objects to the Interrogatories pursuant to Civil L.R. 33-2, which states
 21 that "a demand that a party set forth the basis for a denial of an admission requested under
 22 Fed. R. Civ. P. 36 will be treated as a separate discovery request (an interrogatory) and is
 23 allowable only to the extent that a party is entitled to propound additional interrogatories."

24 17. TACP objects to the Interrogatories pursuant to Rule 33(a)(1), which limits the
 25 number of interrogatories that may be served by one party on another party to 25 (twenty-
 26 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 27 of Rule 33(a)(1).

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1 18. TACP's response to the Interrogatories is not intended to be, and shall not be
 2 construed as, an agreement or concurrence by TACP with the Plaintiffs' characterization of
 3 any facts, circumstances, or legal obligations. TACP reserves the right to contest any such
 4 characterization. TACP further objects to the Interrogatories to the extent they contain
 5 express or implied assumptions of fact or law with respect to matters at issue in the case.

6 19. TACP objects to the definition of "you" and "your" because it is vague, overly
 7 broad and unduly burdensome, as it includes persons not controlled by TACP, and as it seeks
 8 information that is neither relevant nor reasonably calculated to lead to the discovery of
 9 admissible information and, in addition, improperly purports to seek information from distinct
 10 corporate entities and persons not parties to the case and not controlled by TACP. TACP will
 11 interpret these terms to refer to TACP only. TACP further objects to the definition of "you"
 12 and "your" to the extent it seeks information or documents protected by the attorney-client
 13 privilege, work product doctrine or any other applicable privilege, protection, immunity, or
 14 rule.

15 20. TACP objects to the defined term "relevant time period" to the extent that it
 16 exceeds the "class period" defined in the IPPs' Complaint, because it is overly broad, unduly
 17 burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible
 18 evidence. TACP also objects to the definition of "relevant time period" because it is well
 19 beyond the relevant statute of limitations. TACP further objects to the term "relevant time
 20 period" to the extent that it seeks documents created after this litigation began. For the
 21 purposes of responding to these Interrogatories, TACP will interpret the term "relevant time
 22 period" as referring to the "class period" defined in the Complaint, which is March 1, 1995 to
 23 November 25, 2007.

24 21. TACP objects to the defined terms "subsidiary," "affiliate," and "joint venture"
 25 because they are overly broad, unduly burdensome, not relevant and not reasonably calculated
 26 to lead to the discovery of admissible evidence.

27 22. TACP objects to the defined term "Employee" because it is overly broad,
 28 unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of

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1 admissible evidence. TACP further objects to the defined term "Employee" to the extent that
 2 it seeks information from distinct persons not parties to the case and not controlled by TACP.

3 23. Discovery is ongoing. This response is being made after reasonable inquiry
 4 into the relevant facts, and is based upon the information presently known to TACP. Further
 5 investigation and discovery may result in the identification of additional information or
 6 contentions, and TACP expressly reserves all rights to amend its responses and objections to
 7 Indirect Purchaser Plaintiffs' First Set of Interrogatories as necessary. TACP's responses
 8 should not be construed to prejudice its right to conduct further investigation in this case, or to
 9 limit TACP's use of any additional evidence that may be developed.

10 **OBJECTIONS AND RESPONSES TO SPECIFIC INTERROGATORIES**

11 **INTERROGATORY NO. 1:**

12 State the name, address, telephone number, and relationship to you of each person
 13 who prepared or assisted in the preparation of the responses to these Interrogatories. (Do not
 14 identify anyone who simply typed or reproduced the responses.)

15 **RESPONSE:**

16 In addition to its General Objections listed above, TACP objects to Interrogatory No. 1
 17 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by
 18 one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have
 19 already exceeded the 25-interrogatory limit of Rule 33(a)(1).

20 **INTERROGATORY NO. 2:**

21 Identify separately for each year from 2003 to 2009, each of MTPD's board and
 22 committees, including (a) its full name; (b) a brief description of its function; and (c) all
 23 members of that board or committee.

24 **RESPONSE:**

25 In addition to its General Objections listed above, TACP objects to Interrogatory No. 2
 26 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by
 27 one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have
 28 already exceeded the 25-interrogatory limit of Rule 33(a)(1).

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1 **INTERROGATORY NO. 3:**

2 Identify, separately for each year from 2003 to 2009 each of MTPD's corporate
 3 officers, including the name of each company (including any subsidiary, affiliate, joint
 4 venture or other related entity of Toshiba) that employed such individual throughout the
 5 Relevant Time Period, his or her title, business address, the division or unit of the company
 6 where such individual worked, and a description of his or her responsibilities for each position
 7 or title held.

8 **RESPONSE:**

9 In addition to its General Objections listed above, TACP objects to Interrogatory No. 3
 10 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 11 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

12 TACP also objects to Interrogatory No. 3 to the extent it seeks information that is not
 13 within TACP's possession, custody, or control and because any such information is equally
 14 accessible to the Plaintiffs as to TACP.

15 TACP further objects to Interrogatory No. 3 to the extent that it seeks information
 16 beyond the putative class period.

17 TACP further objects to Interrogatory No. 3 to the extent that it calls for information
 18 regarding distinct corporate entities and persons not controlled by TACP.

19 TACP further objects to Interrogatory No. 3 on the ground that it is duplicative of
 20 discovery served in this litigation, which is in contravention of the Discovery Protocol,
 21 including Interrogatories Nos. 9 and 10 of DAPs' First Set of Interrogatories to the
 22 Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer
 23 Products, L.L.C., Toshiba Electronic Components, Inc., and Toshiba America Information
 24 Systems, Inc.

25 TACP further objects to Interrogatory No. 3 pursuant to Rule 33(a)(1), which limits
 26 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 27 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 28 of Rule 33(a)(1).

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1 **INTERROGATORY NO. 4:**

2 Separately for each year from 2003 to 2009, identify those employees who transferred
 3 (a) from you to MTPD; and (b) from MTPD to you. For purposes of this Interrogatory,
 4 “transferred” means the change of official employment from you to MTPD or vice versa, the
 5 change of work duties or job descriptions for the benefit of the other entity, or the relocation
 6 to a facility occupied exclusively by the other entity.

7 **RESPONSE:**

8 In addition to its General Objections listed above, TACP objects to Interrogatory No. 4
 9 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 10 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

11 TACP also objects to Interrogatory No. 4 to the extent that the term “transferred” is
 12 vague.

13 TACP further objects to Interrogatory No. 4 to the extent that it seeks information
 14 beyond the putative class period.

15 TACP further objects to Interrogatory No. 4 to the extent that it is harassing, invasive,
 16 or seeks personal confidential information, the disclosure of which is prohibited by a law,
 17 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 18 information is located.

19 TACP further objects to Interrogatory No. 4 to the extent it seeks information that is
 20 not within TACP’s possession, custody, or control and because any such information is
 21 equally accessible to the Plaintiffs as to TACP.

22 TACP further objects to Interrogatory No. 4 to the extent that it calls for information
 23 regarding distinct corporate entities and persons not controlled by TACP.

24 TACP further objects to Interrogatory No. 4 on the ground that it is duplicative of
 25 discovery served in this litigation, which is in contravention of the Discovery Protocol,
 26 including Interrogatory No. 10 of IPPs and DPPs’ Interrogatories to Defendants Toshiba
 27 Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba
 28 America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

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1 TACP further objects to Interrogatory No. 4 pursuant to Rule 33(a)(1), which limits
 2 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 4 of Rule 33(a)(1).

5 **INTERROGATORY NO. 5:**

6 List the date, nature, and amount of any payments you made from 2003 to 2009 to
 7 individuals who were employed by or worked for MTPD, and describe with specificity
 8 whether such payments occurred directly to the employee, through some social fund or other
 9 entity or governmental program.

10 **RESPONSE:**

11 In addition to its General Objections listed above, TACP objects to Interrogatory No. 5
 12 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 13 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

14 TACP also objects to Interrogatory No. 5 because the term “payment” is vague.

15 TACP further objects to Interrogatory No. 5 because the terms “social fund,” “other
 16 entity,” and “governmental program” are vague.

17 TACP further objects to Interrogatory No. 5 to the extent that it seeks information
 18 beyond the putative class period.

19 TACP further objects to Interrogatory No. 5 to the extent that it is harassing, invasive,
 20 or seeks personal confidential information, the disclosure of which is prohibited by a law,
 21 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 22 information is located.

23 TACP further objects to Interrogatory No. 5 to the extent it seeks information that is
 24 not within TACP’s possession, custody, or control and because any such information is
 25 equally accessible to the Plaintiffs as to TACP.

26 TACP further objects to Interrogatory No. 5 to the extent that it calls for information
 27 regarding distinct corporate entities and persons not controlled by TACP.

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1 TACP further objects to Interrogatory No. 5 pursuant to Rule 33(a)(1), which limits
 2 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 4 of Rule 33(a)(1).

5 **INTERROGATORY NO. 6:**

6 For every person identified in Interrogatory Nos. 2 and 3, state, for each year from
 7 2003 to 2009, as applicable:

- 8 i. The type or nature of any offered or accepted (a) stock option plan or other equity
 incentive plan, (b) bonus or other discretionary periodic payment, and (c) any
 other employee benefits; and
- 9 ii. the identity of each individual or company who set, maintained, funded, or
 administered his or her (a) payroll, (b) bonus or other discretionary periodic
 payment, (c) stock option plan or other equity incentive plan, and (d) any other
 employee benefits.

10 **RESPONSE:**

11 In addition to its General Objections listed above, TACP objects to Interrogatory No. 6
 12 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 13 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

14 TACP also objects to Interrogatory No. 6 to the extent that it is harassing, invasive, or
 15 seeks personal confidential information, the disclosure of which is prohibited by a law,
 16 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 17 information is located.

18 TACP further objects to Interrogatory No. 6 to the extent that it seeks information
 19 beyond the putative class period.

20 TACP also objects to Interrogatory No. 6 to the extent it seeks information that is not
 21 within TACP's possession, custody, or control and because any such information is equally
 22 accessible to the Plaintiffs as to TACP.

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1 TACP further objects to Interrogatory No. 6 to the extent that it calls for information
 2 regarding distinct corporate entities and persons not controlled by TACP.

3 TACP further objects to Interrogatory No. 6 pursuant to Rule 33(a)(1), which limits
 4 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 5 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 6 of Rule 33(a)(1).

7 **INTERROGATORY NO. 7:**

8 State, for each year from 2003 to 2009, the identity of each individual who approved
 9 or authorized MTPD's corporate operating budget, including, without limitations, the
 10 estimates of revenues, the estimates of operating and capital expenditures, and the estimates
 11 of borrowings.

12 **RESPONSE:**

13 In addition to its General Objections listed above, TACP objects to Interrogatory No. 7
 14 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 15 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

16 TACP further objects to Interrogatory No. 7 to the extent that it seeks information
 17 beyond the putative class period.

18 TACP also objects to Interrogatory No. 7 to the extent it seeks information that is not
 19 within TACP's possession, custody, or control and because any such information is equally
 20 accessible to the Plaintiffs as to TACP.

21 TACP further objects to Interrogatory No. 7 to the extent that it calls for information
 22 regarding distinct corporate entities and persons not controlled by TACP.

23 TACP further objects to Interrogatory No. 7 pursuant to Rule 33(a)(1), which limits
 24 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 25 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 26 of Rule 33(a)(1).

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1 **INTERROGATORY NO. 8:**

2 State the identity of each individual who paid MTPD's attorney bills for legal services
 3 in connection with the investigation of MTPD's alleged involvement in the CRT cartel by
 4 government antitrust authorities in Japan, the European Union, and the United States during
 5 2006 through 2012.

6 **RESPONSE:**

7 In addition to its General Objections listed above, TACP objects to Interrogatory No. 8
 8 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 9 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

10 TACP also objects to Interrogatory No. 8 to the extent it seeks information that is not
 11 within TACP's possession, custody, or control and because any such information is equally
 12 accessible to the Plaintiffs as to TACP.

13 TACP further objects to Interrogatory No. 8 to the extent that it calls for information
 14 regarding distinct corporate entities and persons not controlled by TACP.

15 TACP further objects to Interrogatory No. 8 to the extent that it seeks information or
 16 documents protected by the attorney-client privilege, attorney work-product doctrine or any
 17 other applicable privilege, protection, immunity, or rule.

18 TACP further objects to Interrogatory No. 8 to the extent that it seeks information
 19 beyond the putative class period.

20 TACP further objects to Interrogatory No. 8 to the extent that it is harassing, invasive,
 21 or seeks confidential information, the disclosure of which is prohibited by law, regulation, or
 22 order of a court or another authority of a foreign jurisdiction in which the information is
 23 located.

24 TACP further objects to Interrogatory No. 8 pursuant to Rule 33(a)(1), which limits
 25 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 26 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 27 of Rule 33(a)(1).

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1 **INTERROGATORY NO. 9:**

2 Identify any Toshiba entity which purchased CRTs manufactured by MTPD from
 3 2003 to 2009.

4 **RESPONSE:**

5 In addition to its General Objections listed above, TACP objects to Interrogatory No. 9
 6 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 7 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

8 TACP also objects to Interrogatory No. 9 to the extent it seeks information regarding
 9 sales outside the United States and unrelated to United States commerce, as such sales are
 10 beyond the scope of this litigation and requesting such information renders Interrogatory No.
 11 9 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of
 12 admissible evidence.

13 TACP also objects to Interrogatory No. 9 to the extent it seeks information that is not
 14 within TACP's possession, custody, or control and because any such information is equally
 15 accessible to the Plaintiffs as to TACP.

16 TACP further objects to Interrogatory No. 9 to the extent that it calls for information
 17 regarding distinct corporate entities and persons not controlled by TACP.

18 TACP further objects to Interrogatory No. 9 to the extent that it seeks information
 19 beyond the putative class period.

20 TACP further objects to Interrogatory No. 9 on the ground that it is duplicative of
 21 discovery served in this litigation, which is in contravention of the Discovery Protocol,
 22 including Interrogatory No. 11 to the IPPs and DPPs' Interrogatories to Defendants Toshiba
 23 Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba
 24 America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

25 TACP further objects to Interrogatory No. 9 pursuant to Rule 33(a)(1), which limits
 26 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 27 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 28 of Rule 33(a)(1).

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1 **INTERROGATORY NO. 10:**

2 For every purchaser identified in Interrogatory No. 9, describe with specificity the
 3 pricing mechanism or decision process by which MTPD decided on the price for those sold
 4 CRTs, and how it differed, if at all, from the pricing mechanism or decision process employed
 5 for non- Toshiba affiliated purchasers of CRTs.

6 **RESPONSE:**

7 In addition to its General Objections listed above, TACP objects to Interrogatory No.
 8 10 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 9 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

10 TACP also objects to Interrogatory No. 10 to the extent it seeks information regarding
 11 sales outside the United States and unrelated to United States commerce, as such sales are
 12 beyond the scope of this litigation and requesting such information renders Interrogatory No.
 13 10 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of
 14 admissible evidence.

15 TACP also objects to Interrogatory No. 10 to the extent it seeks information that is not
 16 within TACP's possession, custody, or control and because any such information is equally
 17 accessible to the Plaintiffs as to TACP.

18 TACP further objects to the term "pricing mechanism or decision process" because it
 19 is vague.

20 TACP further objects to Interrogatory No. 10 to the extent that it calls for information
 21 regarding distinct corporate entities and persons not controlled by TACP.

22 TACP further objects to Interrogatory No. 10 to the extent that it seeks information
 23 beyond the putative class period.

24 TACP further objects to Interrogatory No. 10 on the ground that it is duplicative of
 25 discovery served in this litigation, which is in contravention of the Discovery Protocol,
 26 including Interrogatory No. 11 of the IPPs and DPPs' Interrogatories to Defendants Toshiba
 27 Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba
 28 America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

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1 TACP further objects to Interrogatory No. 10 pursuant to Rule 33(a)(1), which limits
 2 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 4 of Rule 33(a)(1)

5 **INTERROGATORY NO. 11:**

6 List, for each year from 2003 to 2009, the name, term and nature of every service level
 7 agreement or other contract relating to professional services you entered into with MTPD
 8 (including, without limitations, contracts for legal, fiscal, tax, treasury, insurance, human
 9 resources, accounting and sales support services).

10 **RESPONSE:**

11 In addition to its General Objections listed above, TACP objects to Interrogatory No.
 12 11 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 13 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

14 TACP also objects to Interrogatory No. 11 to the extent it seeks information that is not
 15 within TACP's possession, custody, or control and because any such information is equally
 16 accessible to the Plaintiffs as to TACP.

17 TACP further objects to the terms "service level agreement," and "other contract
 18 relating to professional services" because they are vague.

19 TACP further objects to Interrogatory No. 11 to the extent that it calls for information
 20 regarding distinct corporate entities and persons not controlled by TACP.

21 TACP further objects to Interrogatory No. 11 to the extent that it seeks information
 22 beyond the putative class period.

23 TACP further objects to Interrogatory No. 11 to the extent that it is harassing,
 24 invasive, or seeks confidential information, the disclosure of which is prohibited by law,
 25 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 26 information is located.

27 TACP further objects to Interrogatory No. 11 pursuant to Rule 33(a)(1), which limits
 28 the number of interrogatories that may be served by one party on another party to 25 (twenty-

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1 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 2 of Rule 33(a)(1).

3 **INTERROGATORY NO. 12:**

4 State the date, amount and interest rate (if applicable) of each capital or equity
 5 injection, loan or other financial contribution you provided to MTPD.

6 **RESPONSE:**

7 In addition to its General Objections listed above, TACP objects to Interrogatory No.
 8 12 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 9 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

10 TACP also objects to Interrogatory No. 12 to the extent it seeks information that is not
 11 within TACP's possession, custody, or control and because any such information is equally
 12 accessible to the Plaintiffs as to TACP.

13 TACP further objects to the terms "capital or equity injection, loan or other financial
 14 contribution" because they are vague.

15 TACP further objects to Interrogatory No. 12 to the extent that it calls for information
 16 regarding distinct corporate entities and persons not controlled by TACP.

17 TACP further objects to Interrogatory No. 12 to the extent that it seeks information
 18 beyond the putative class period.

19 TACP further objects to Interrogatory No. 12 to the extent that it is harassing,
 20 invasive, or seeks confidential information, the disclosure of which is prohibited by law,
 21 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 22 information is located.

23 TACP further objects to Interrogatory No. 12 pursuant to Rule 33(a)(1), which limits
 24 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 25 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 26 of Rule 33(a)(1).

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1 **INTERROGATORY NO. 13:**

2 State the date and amount of any guarantees you made on behalf of MPTD, including
 3 the third party to whom the guarantee(s) were made.

4 **RESPONSE:**

5 In addition to its General Objections listed above, TACP objects to Interrogatory No.
 6 13 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 7 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

8 TACP also objects to Interrogatory No. 13 to the extent it seeks information that is not
 9 within TACP's possession, custody, or control and because any such information is equally
 10 accessible to the Plaintiffs as to TACP.

11 TACP further objects to Interrogatory No. 13 to the extent that it calls for information
 12 regarding distinct corporate entities and persons not controlled by TACP.

13 TACP further objects to the term "guarantee" because it is vague.

14 TACP further objects to Interrogatory No. 13 because its inclusion of the term
 15 "MPTD" renders it vague.

16 TACP further objects to Interrogatory No. 13 to the extent that it seeks information
 17 beyond the putative class period.

18 TACP further objects to Interrogatory No. 13 to the extent that it is harassing,
 19 invasive, or seeks confidential information, the disclosure of which is prohibited by law,
 20 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 21 information is located.

22 TACP further objects to Interrogatory No. 13 pursuant to Rule 33(a)(1), which limits
 23 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 24 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 25 of Rule 33(a)(1).

26 **INTERROGATORY NO. 14:**

27 List, for each year from 2003 to 2009, the dates, insured amount, listed beneficiaries,
 28 coverages and insurance carrier of any directors and officers (D&O) liability insurance

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1 covering board members and executives of MTPD, and identify which company (including
 2 any subsidiary, affiliate, joint venture or other related entity of Toshiba) paid the insurance
 3 premiums.

4 **RESPONSE:**

5 In addition to its General Objections listed above, TACP objects to Interrogatory No.
 6 14 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 7 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

8 TACP also objects to Interrogatory No. 14 to the extent it seeks information that is not
 9 within TACP's possession, custody, or control and because any such information is equally
 10 accessible to the Plaintiffs as to TACP.

11 TACP further objects to Interrogatory No. 14 to the extent that it calls for information
 12 regarding distinct corporate entities and persons not controlled by TACP.

13 TACP further objects to Interrogatory No. 14 to the extent that it seeks information
 14 beyond the putative class period.

15 TACP further objects to Interrogatory No. 14 to the extent that it is harassing,
 16 invasive, or seeks confidential information, the disclosure of which is prohibited by law,
 17 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 18 information is located.

19 TACP also objects to Interrogatory No. 14 pursuant to Rule 33(a)(1), which limits the
 20 number of interrogatories that may be served by one party on another party to 25 (twenty-
 21 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 22 of Rule 33(a)(1).

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2 Dated: September 5, 2014

WHITE & CASE LLP

3

4 By:



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CERTIFICATE OF SERVICE

On September 5, 2014, I caused a copy of the “TOSHIBA AMERICA CONSUMER PRODUCTS, L.L.C.’S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER PLAINTIFFS’ FIRST SET OF INTERROGATORIES TO TOSHIBA DEFENDANTS” to be served via e-mail upon:

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Exhibit 6-E

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13 *Toshiba America Electronic Components, Inc.*

14
15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 (SAN FRANCISCO DIVISION)

18
19 IN RE: CATHODE RAY TUBE (CRT)
20 ANTITRUST LITIGATION

21 Case No. 07-5944 SC
22 MDL No. 1917

23 This Document Relates to:

24 ALL INDIRECT PURCHASER ACTIONS

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26
27
28 **TOSHIBA AMERICA
ELECTRONIC COMPONENTS,
INC.'S OBJECTIONS AND
RESPONSES TO INDIRECT
PURCHASER PLAINTIFFS'
FIRST SET OF
INTERROGATORIES TO
TOSHIBA DEFENDANTS**

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1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the Court's
 2 April 3, 2012 Order re Discovery and Case Management Protocol (as modified by the Court
 3 on March 12, 2013) (collectively, the "Discovery Protocol"), Defendant Toshiba America
 4 Electronic Components, Inc. ("TAEC") hereby submits the following Objections and
 5 Responses to Indirect Purchaser Plaintiffs' First Set of Interrogatories to Toshiba Defendants,
 6 dated August 1, 2014 (the "Interrogatories").

7 Each of the following responses is made only for purposes of the actions named in the
 8 above caption. Each response is subject to all objections as to relevance, materiality and
 9 admissibility, and to any and all objections on any ground that would require exclusion of any
 10 response if it were introduced in court. All evidentiary objections and grounds are expressly
 11 reserved.

12 Each of the following responses is made on the basis of the information available at
 13 the time of service of the responses. TAEC's responses to these Interrogatories are subject to
 14 the provisions of the Stipulated Protective Order that the Court issued on June 18, 2008 (the
 15 "Protective Order"). TAEC's responses are hereby designated "Confidential" in accordance
 16 with the provisions of the Protective Order.

GENERAL OBJECTIONS

18 1. TAEC objects to the Interrogatories, including the Definitions and Instructions
 19 provided therein, to the extent they contravene the April 3, 2012 Order re Discovery and Case
 20 Management Protocol, Docket number 1128 in the MDL.

21 2. TAEC objects to the Interrogatories, including the Definitions and Instructions
 22 provided therein, to the extent they purport to impose obligations beyond those required or
 23 permitted by the Federal Rules of Civil Procedure and the Local Rules of Practice in Civil
 24 Proceedings before the United States District Court for the Northern District of California or
 25 to the extent it is outside the scope of any order or opinion of this Court.

26 3. TAEC objects to the Interrogatories, including the Definitions and Instructions
 27 provided therein, to the extent they call for the production of documents or information that
 28 relate to matters not raised by the pleadings, to the extent they are not material and necessary

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1 to the prosecution or defense of this action, and to the extent they are not reasonably
 2 calculated to lead to the discovery of admissible evidence.

3 4. TAEC objects to the Interrogatories, including the Definitions and Instructions
 4 provided therein, to the extent that they are overly broad, unduly burdensome, vague, or
 5 ambiguous. TAEC further objects to the Interrogatories, including the Definitions and
 6 Instructions provided therein, to the extent they purport to seek discovery of information from
 7 disaster recovery systems and archives.

8 5. TAEC objects to the Interrogatories, including the Definitions and Instructions
 9 provided therein, to the extent they state and/or call for legal conclusions and/or admissions.

10 6. TAEC objects to the Interrogatories, including the Definitions and Instructions
 11 provided therein, to the extent they call for publicly available information.

12 7. TAEC objects to the Interrogatories, including the Definitions and Instructions
 13 provided therein, to the extent they seek information or documents protected by the attorney-
 14 client privilege, attorney work-product doctrine or any other applicable privilege, protection,
 15 immunity, or rule (collectively, "Privileged Information"). TAEC will not disclose any
 16 Privileged Information in response to any Interrogatory. TAEC does not intend by these
 17 Objections and Responses to waive any claim of privilege or immunity. Any inadvertent
 18 production of such material or information is not intended to, and shall not, constitute a
 19 general or specific waiver in whole or in part of those privileges or protections as to material
 20 or information inadvertently produced or the subject matter thereof. Nor is any inadvertent
 21 production intended to, nor shall it, constitute a waiver of the right to object to any use of such
 22 document or information.

23 8. TAEC objects to the Interrogatories, including the Definitions and Instructions
 24 provided therein, to the extent they seek information, the disclosure of which would violate
 25 applicable law, including, but not limited to, privacy laws. In providing any response, TAEC
 26 does so only to the extent allowable under applicable law.

27 9. TAEC objects to the Interrogatories, including the Definitions and Instructions
 28 provided therein, to the extent they seek confidential, proprietary, or trade secret information.

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1 10. TAEC objects to the Interrogatories, including the Definitions and Instructions
 2 provided therein, to the extent they seek documents or information, the disclosure of which is
 3 prohibited by contractual obligations or agreements between TAEC and third parties.

4 11. TAEC objects to the Interrogatories, including the Definitions and Instructions
 5 provided therein, to the extent they are oppressive or constitute an abuse of process in light of
 6 the costs imposed on TAEC weighed against the Plaintiffs' need for the information.

7 12. TAEC objects to the Interrogatories, including the Definitions and Instructions
 8 provided therein, to the extent they seek information which is equally accessible to Plaintiffs
 9 as to TAEC, or which has already been produced by other parties.

10 13. TAEC objects to the Interrogatories, including the Definitions and Instructions
 11 provided therein, to the extent they seek information, the disclosure of which is prohibited by
 12 law, regulation, or order of a court or another authority of the foreign jurisdiction in which the
 13 documents or information are located.

14 14. TAEC objects to the Interrogatories, including the Definitions and Instructions
 15 provided therein, to the extent they seek disclosure of documents or information that is not
 16 within TAEC's possession, custody, or control.

17 15. TAEC objects to the Interrogatories, including the Definitions and Instructions
 18 provided therein, to the extent they are cumulative to or duplicative of other Interrogatories or
 19 Document Requests.

20 16. TAEC objects to the Interrogatories pursuant to Civil L.R. 33-2, which states
 21 that "a demand that a party set forth the basis for a denial of an admission requested under
 22 Fed. R. Civ. P. 36 will be treated as a separate discovery request (an interrogatory) and is
 23 allowable only to the extent that a party is entitled to propound additional interrogatories."

24 17. TAEC objects to the Interrogatories pursuant to Rule 33(a)(1), which limits the
 25 number of interrogatories that may be served by one party on another party to 25 (twenty-
 26 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 27 of Rule 33(a)(1).

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1 18. TAEC's response to the Interrogatories is not intended to be, and shall not be
 2 construed as, an agreement or concurrence by TAEC with the Plaintiffs' characterization of
 3 any facts, circumstances, or legal obligations. TAEC reserves the right to contest any such
 4 characterization. TAEC further objects to the Interrogatories to the extent they contain
 5 express or implied assumptions of fact or law with respect to matters at issue in the case.

6 19. TAEC objects to the definition of "you" and "your" because it is vague, overly
 7 broad and unduly burdensome, as it includes persons not controlled by TAEC, and as it seeks
 8 information that is neither relevant nor reasonably calculated to lead to the discovery of
 9 admissible information and, in addition, improperly purports to seek information from distinct
 10 corporate entities and persons not parties to the case and not controlled by TAEC. TAEC will
 11 interpret these terms to refer to TAEC only. TAEC further objects to the definition of "you"
 12 and "your" to the extent it seeks information or documents protected by the attorney-client
 13 privilege, work product doctrine or any other applicable privilege, protection, immunity, or
 14 rule.

15 20. TAEC objects to the defined term "relevant time period" to the extent that it
 16 exceeds the "class period" defined in the IPPs' Complaint, because it is overly broad, unduly
 17 burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible
 18 evidence. TAEC also objects to the definition of "relevant time period" because it is well
 19 beyond the relevant statute of limitations. TAEC further objects to the term "relevant time
 20 period" to the extent that it seeks documents created after this litigation began. For the
 21 purposes of responding to these Interrogatories, TAEC will interpret the term "relevant time
 22 period" as referring to the "class period" defined in the Complaint, which is March 1, 1995 to
 23 November 25, 2007.

24 21. TAEC objects to the defined terms "subsidiary," "affiliate," and "joint venture"
 25 because they are overly broad, unduly burdensome, not relevant and not reasonably calculated
 26 to lead to the discovery of admissible evidence.

27 22. TAEC objects to the defined term "Employee" because it is overly broad,
 28 unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of

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1 admissible evidence. TAEC further objects to the defined term "Employee" to the extent that
 2 it seeks information from distinct persons not parties to the case and not controlled by TAEC.

3 23. Discovery is ongoing. This response is being made after reasonable inquiry
 4 into the relevant facts, and is based upon the information presently known to TAEC. Further
 5 investigation and discovery may result in the identification of additional information or
 6 contentions, and TAEC expressly reserves all rights to amend its responses and objections to
 7 Indirect Purchaser Plaintiffs' First Set of Interrogatories as necessary. TAEC's responses
 8 should not be construed to prejudice its right to conduct further investigation in this case, or to
 9 limit TAEC's use of any additional evidence that may be developed.

10 **OBJECTIONS AND RESPONSES TO SPECIFIC INTERROGATORIES**

11 **INTERROGATORY NO. 1:**

12 State the name, address, telephone number, and relationship to you of each person
 13 who prepared or assisted in the preparation of the responses to these Interrogatories. (Do not
 14 identify anyone who simply typed or reproduced the responses.)

15 **RESPONSE:**

16 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
 17 1 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by
 18 one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have
 19 already exceeded the 25-interrogatory limit of Rule 33(a)(1).

20 **INTERROGATORY NO. 2:**

21 Identify separately for each year from 2003 to 2009, each of MTPD's board and
 22 committees, including (a) its full name; (b) a brief description of its function; and (c) all
 23 members of that board or committee.

24 **RESPONSE:**

25 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
 26 2 pursuant to Rule 33(a)(1), which limits the number of interrogatories that may be served by
 27 one party on another party to 25 (twenty-five), including discrete subparts. Plaintiffs have
 28 already exceeded the 25-interrogatory limit of Rule 33(a)(1).

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1 **INTERROGATORY NO. 3:**

2 Identify, separately for each year from 2003 to 2009 each of MTPD's corporate
 3 officers, including the name of each company (including any subsidiary, affiliate, joint
 4 venture or other related entity of Toshiba) that employed such individual throughout the
 5 Relevant Time Period, his or her title, business address, the division or unit of the company
 6 where such individual worked, and a description of his or her responsibilities for each position
 7 or title held.

8 **RESPONSE:**

9 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
 10 3 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 11 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

12 TAEC also objects to Interrogatory No. 3 to the extent it seeks information that is not
 13 within TAEC's possession, custody, or control and because any such information is equally
 14 accessible to the Plaintiffs as to TAEC.

15 TAEC further objects to Interrogatory No. 3 to the extent that it seeks information
 16 beyond the putative class period.

17 TAEC further objects to Interrogatory No. 3 to the extent that it calls for information
 18 regarding distinct corporate entities and persons not controlled by TAEC.

19 TAEC further objects to Interrogatory No. 3 on the ground that it is duplicative of
 20 discovery served in this litigation, which is in contravention of the Discovery Protocol,
 21 including Interrogatories Nos. 9 and 10 of DAPs' First Set of Interrogatories to the
 22 Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer
 23 Products, L.L.C., Toshiba Electronic Components, Inc., and Toshiba America Information
 24 Systems, Inc.

25 TAEC further objects to Interrogatory No. 3 pursuant to Rule 33(a)(1), which limits
 26 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 27 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 28 of Rule 33(a)(1).

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Separately for each year from 2003 to 2009, identify those employees who transferred (a) from you to MTPD; and (b) from MTPD to you. For purposes of this Interrogatory, “transferred” means the change of official employment from you to MTPD or vice versa, the change of work duties or job descriptions for the benefit of the other entity, or the relocation to a facility occupied exclusively by the other entity.

RESPONSE:

In addition to its General Objections listed above, TAEC objects to Interrogatory No. 4 because it is vague, overly broad, unduly burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

TAEC also objects to Interrogatory No. 4 to the extent that the term “transferred” is vague.

TAEC further objects to Interrogatory No. 4 to the extent that it seeks information beyond the putative class period.

TAEC further objects to Interrogatory No. 4 to the extent that it is harassing, invasive, or seeks personal confidential information, the disclosure of which is prohibited by a law, regulation, or order of a court or another authority of a foreign jurisdiction in which the information is located.

TAEC further objects to Interrogatory No. 4 to the extent it seeks information that is not within TAEC’s possession, custody, or control and because any such information is equally accessible to the Plaintiffs as to TAEC.

TAEC further objects to Interrogatory No. 4 to the extent that it calls for information regarding distinct corporate entities and persons not controlled by TAEC.

TAEC further objects to Interrogatory No. 4 on the ground that it is duplicative of discovery served in this litigation, which is in contravention of the Discovery Protocol, including Interrogatory No. 10 of IPPs and DPPs’ Interrogatories to Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

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1 TAEC further objects to Interrogatory No. 4 pursuant to Rule 33(a)(1), which limits
 2 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 4 of Rule 33(a)(1).

5 **INTERROGATORY NO. 5:**

6 List the date, nature, and amount of any payments you made from 2003 to 2009 to
 7 individuals who were employed by or worked for MTPD, and describe with specificity
 8 whether such payments occurred directly to the employee, through some social fund or other
 9 entity or governmental program.

10 **RESPONSE:**

11 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
 12 5 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 13 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

14 TAEC also objects to Interrogatory No. 5 because the term “payment” is vague.

15 TAEC further objects to Interrogatory No. 5 because the terms “social fund,” “other
 16 entity,” and “governmental program” are vague.

17 TAEC further objects to Interrogatory No. 5 to the extent that it seeks information
 18 beyond the putative class period.

19 TAEC further objects to Interrogatory No. 5 to the extent that it is harassing, invasive,
 20 or seeks personal confidential information, the disclosure of which is prohibited by a law,
 21 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 22 information is located.

23 TAEC further objects to Interrogatory No. 5 to the extent it seeks information that is
 24 not within TAEC’s possession, custody, or control and because any such information is
 25 equally accessible to the Plaintiffs as to TAEC.

26 TAEC further objects to Interrogatory No. 5 to the extent that it calls for information
 27 regarding distinct corporate entities and persons not controlled by TAEC.

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1 TAEC further objects to Interrogatory No. 5 pursuant to Rule 33(a)(1), which limits
 2 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 4 of Rule 33(a)(1).

5 **INTERROGATORY NO. 6:**

6 For every person identified in Interrogatory Nos. 2 and 3, state, for each year from
 7 2003 to 2009, as applicable:

- 8 i. The type or nature of any offered or accepted (a) stock option plan or other equity
 9 incentive plan, (b) bonus or other discretionary periodic payment, and (c) any
 10 other employee benefits; and
- 11 ii. the identity of each individual or company who set, maintained, funded, or
 12 administered his or her (a) payroll, (b) bonus or other discretionary periodic
 13 payment, (c) stock option plan or other equity incentive plan, and (d) any other
 14 employee benefits.

15 **RESPONSE:**

16 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
 17 6 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 18 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

19 TAEC also objects to Interrogatory No. 6 to the extent that it is harassing, invasive, or
 20 seeks personal confidential information, the disclosure of which is prohibited by a law,
 21 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 22 information is located.

23 TAEC further objects to Interrogatory No. 6 to the extent that it seeks information
 24 beyond the putative class period.

25 TAEC also objects to Interrogatory No. 6 to the extent it seeks information that is not
 26 within TAEC's possession, custody, or control and because any such information is equally
 27 accessible to the Plaintiffs as to TAEC.

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1 TAEC further objects to Interrogatory No. 6 to the extent that it calls for information
 2 regarding distinct corporate entities and persons not controlled by TAEC.

3 TAEC further objects to Interrogatory No. 6 pursuant to Rule 33(a)(1), which limits
 4 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 5 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 6 of Rule 33(a)(1).

7 **INTERROGATORY NO. 7:**

8 State, for each year from 2003 to 2009, the identity of each individual who approved
 9 or authorized MTPD's corporate operating budget, including, without limitations, the
 10 estimates of revenues, the estimates of operating and capital expenditures, and the estimates
 11 of borrowings.

12 **RESPONSE:**

13 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
 14 7 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 15 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

16 TAEC further objects to Interrogatory No. 7 to the extent that it seeks information
 17 beyond the putative class period.

18 TAEC also objects to Interrogatory No. 7 to the extent it seeks information that is not
 19 within TAEC's possession, custody, or control and because any such information is equally
 20 accessible to the Plaintiffs as to TAEC.

21 TAEC further objects to Interrogatory No. 7 to the extent that it calls for information
 22 regarding distinct corporate entities and persons not controlled by TAEC.

23 TAEC further objects to Interrogatory No. 7 pursuant to Rule 33(a)(1), which limits
 24 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 25 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 26 of Rule 33(a)(1).

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1 **INTERROGATORY NO. 8:**

2 State the identity of each individual who paid MTPD's attorney bills for legal services
 3 in connection with the investigation of MTPD's alleged involvement in the CRT cartel by
 4 government antitrust authorities in Japan, the European Union, and the United States during
 5 2006 through 2012.

6 **RESPONSE:**

7 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
 8 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 9 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

10 TAEC also objects to Interrogatory No. 8 to the extent it seeks information that is not
 11 within TAEC's possession, custody, or control and because any such information is equally
 12 accessible to the Plaintiffs as to TAEC.

13 TAEC further objects to Interrogatory No. 8 to the extent that it calls for information
 14 regarding distinct corporate entities and persons not controlled by TAEC.

15 TAEC further objects to Interrogatory No. 8 to the extent that it seeks information or
 16 documents protected by the attorney-client privilege, attorney work-product doctrine or any
 17 other applicable privilege, protection, immunity, or rule.

18 TAEC further objects to Interrogatory No. 8 to the extent that it seeks information
 19 beyond the putative class period.

20 TAEC further objects to Interrogatory No. 8 to the extent that it is harassing, invasive,
 21 or seeks confidential information, the disclosure of which is prohibited by law, regulation, or
 22 order of a court or another authority of a foreign jurisdiction in which the information is
 23 located.

24 TAEC further objects to Interrogatory No. 8 pursuant to Rule 33(a)(1), which limits
 25 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 26 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 27 of Rule 33(a)(1).

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1 **INTERROGATORY NO. 9:**

2 Identify any Toshiba entity which purchased CRTs manufactured by MTPD from
 3 2003 to 2009.

4 **RESPONSE:**

5 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
 6 9 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 7 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

8 TAEC also objects to Interrogatory No. 9 to the extent it seeks information regarding
 9 sales outside the United States and unrelated to United States commerce, as such sales are
 10 beyond the scope of this litigation and requesting such information renders Interrogatory No.
 11 9 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of
 12 admissible evidence.

13 TAEC also objects to Interrogatory No. 9 to the extent it seeks information that is not
 14 within TAEC's possession, custody, or control and because any such information is equally
 15 accessible to the Plaintiffs as to TAEC.

16 TAEC further objects to Interrogatory No. 9 to the extent that it calls for information
 17 regarding distinct corporate entities and persons not controlled by TAEC.

18 TAEC further objects to Interrogatory No. 9 to the extent that it seeks information
 19 beyond the putative class period.

20 TAEC further objects to Interrogatory No. 9 on the ground that it is duplicative of
 21 discovery served in this litigation, which is in contravention of the Discovery Protocol,
 22 including Interrogatory No. 11 to the IPPs and DPPs' Interrogatories to Defendants Toshiba
 23 Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba
 24 America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

25 TAEC further objects to Interrogatory No. 9 pursuant to Rule 33(a)(1), which limits
 26 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 27 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 28 of Rule 33(a)(1).

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1 **INTERROGATORY NO. 10:**

2 For every purchaser identified in Interrogatory No. 9, describe with specificity the
 3 pricing mechanism or decision process by which MTPD decided on the price for those sold
 4 CRTs, and how it differed, if at all, from the pricing mechanism or decision process employed
 5 for non- Toshiba affiliated purchasers of CRTs.

6 **RESPONSE:**

7 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
 8 10 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 9 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

10 TAEC also objects to Interrogatory No. 10 to the extent it seeks information regarding
 11 sales outside the United States and unrelated to United States commerce, as such sales are
 12 beyond the scope of this litigation and requesting such information renders Interrogatory No.
 13 10 overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of
 14 admissible evidence.

15 TAEC also objects to Interrogatory No. 10 to the extent it seeks information that is not
 16 within TAEC's possession, custody, or control and because any such information is equally
 17 accessible to the Plaintiffs as to TAEC.

18 TAEC further objects to the term "pricing mechanism or decision process" because it
 19 is vague.

20 TAEC further objects to Interrogatory No. 10 to the extent that it calls for information
 21 regarding distinct corporate entities and persons not controlled by TAEC.

22 TAEC further objects to Interrogatory No. 10 to the extent that it seeks information
 23 beyond the putative class period.

24 TAEC further objects to Interrogatory No. 10 on the ground that it is duplicative of
 25 discovery served in this litigation, which is in contravention of the Discovery Protocol,
 26 including Interrogatory No. 11 of the IPPs and DPPs' Interrogatories to Defendants Toshiba
 27 Corporation, Toshiba America, Inc., Toshiba America Consumer Products, L.L.C., Toshiba
 28 America Information Systems, Inc., and Toshiba America Electronic Components, Inc.

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1 TAEC further objects to Interrogatory No. 10 pursuant to Rule 33(a)(1), which limits
 2 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 3 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 4 of Rule 33(a)(1)

5 **INTERROGATORY NO. 11:**

6 List, for each year from 2003 to 2009, the name, term and nature of every service level
 7 agreement or other contract relating to professional services you entered into with MTPD
 8 (including, without limitations, contracts for legal, fiscal, tax, treasury, insurance, human
 9 resources, accounting and sales support services).

10 **RESPONSE:**

11 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
 12 11 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 13 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

14 TAEC also objects to Interrogatory No. 11 to the extent it seeks information that is not
 15 within TAEC's possession, custody, or control and because any such information is equally
 16 accessible to the Plaintiffs as to TAEC.

17 TAEC further objects to the terms "service level agreement," and "other contract
 18 relating to professional services" because they are vague.

19 TAEC further objects to Interrogatory No. 11 to the extent that it calls for information
 20 regarding distinct corporate entities and persons not controlled by TAEC.

21 TAEC further objects to Interrogatory No. 11 to the extent that it seeks information
 22 beyond the putative class period.

23 TAEC further objects to Interrogatory No. 11 to the extent that it is harassing,
 24 invasive, or seeks confidential information, the disclosure of which is prohibited by law,
 25 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 26 information is located.

27 TAEC further objects to Interrogatory No. 11 pursuant to Rule 33(a)(1), which limits
 28 the number of interrogatories that may be served by one party on another party to 25 (twenty-

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1 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 2 of Rule 33(a)(1).

3 **INTERROGATORY NO. 12:**

4 State the date, amount and interest rate (if applicable) of each capital or equity
 5 injection, loan or other financial contribution you provided to MTPD.

6 **RESPONSE:**

7 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
 8 12 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 9 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

10 TAEC also objects to Interrogatory No. 12 to the extent it seeks information that is not
 11 within TAEC's possession, custody, or control and because any such information is equally
 12 accessible to the Plaintiffs as to TAEC.

13 TAEC further objects to the terms "capital or equity injection, loan or other financial
 14 contribution" because they are vague.

15 TAEC further objects to Interrogatory No. 12 to the extent that it calls for information
 16 regarding distinct corporate entities and persons not controlled by TAEC.

17 TAEC further objects to Interrogatory No. 12 to the extent that it seeks information
 18 beyond the putative class period.

19 TAEC further objects to Interrogatory No. 12 to the extent that it is harassing,
 20 invasive, or seeks confidential information, the disclosure of which is prohibited by law,
 21 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 22 information is located.

23 TAEC further objects to Interrogatory No. 12 pursuant to Rule 33(a)(1), which limits
 24 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 25 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 26 of Rule 33(a)(1).

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1 **INTERROGATORY NO. 13:**

2 State the date and amount of any guarantees you made on behalf of MPTD, including
 3 the third party to whom the guarantee(s) were made.

4 **RESPONSE:**

5 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
 6 13 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
 7 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

8 TAEC also objects to Interrogatory No. 13 to the extent it seeks information that is not
 9 within TAEC's possession, custody, or control and because any such information is equally
 10 accessible to the Plaintiffs as to TAEC.

11 TAEC further objects to Interrogatory No. 13 to the extent that it calls for information
 12 regarding distinct corporate entities and persons not controlled by TAEC.

13 TAEC further objects to the term "guarantee" because it is vague.

14 TAEC further objects to Interrogatory No. 13 because its inclusion of the term
 15 "MPTD" renders it vague.

16 TAEC further objects to Interrogatory No. 13 to the extent that it seeks information
 17 beyond the putative class period.

18 TAEC further objects to Interrogatory No. 13 to the extent that it is harassing,
 19 invasive, or seeks confidential information, the disclosure of which is prohibited by law,
 20 regulation, or order of a court or another authority of a foreign jurisdiction in which the
 21 information is located.

22 TAEC further objects to Interrogatory No. 13 pursuant to Rule 33(a)(1), which limits
 23 the number of interrogatories that may be served by one party on another party to 25 (twenty-
 24 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
 25 of Rule 33(a)(1).

26 **INTERROGATORY NO. 14:**

27 List, for each year from 2003 to 2009, the dates, insured amount, listed beneficiaries,
 28 coverages and insurance carrier of any directors and officers (D&O) liability insurance

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1 covering board members and executives of MTPD, and identify which company (including
2 any subsidiary, affiliate, joint venture or other related entity of Toshiba) paid the insurance
3 premiums.

4 **RESPONSE:**

5 In addition to its General Objections listed above, TAEC objects to Interrogatory No.
6 14 because it is vague, overly broad, unduly burdensome, and seeks information that is neither
7 relevant nor reasonably calculated to lead to the discovery of admissible evidence.

8 TAEC also objects to Interrogatory No. 14 to the extent it seeks information that is not
9 within TAEC's possession, custody, or control and because any such information is equally
10 accessible to the Plaintiffs as to TAEC.

11 TAEC further objects to Interrogatory No. 14 to the extent that it calls for information
12 regarding distinct corporate entities and persons not controlled by TAEC.

13 TAEC further objects to Interrogatory No. 14 to the extent that it seeks information
14 beyond the putative class period.

15 TAEC further objects to Interrogatory No. 14 to the extent that it is harassing,
16 invasive, or seeks confidential information, the disclosure of which is prohibited by law,
17 regulation, or order of a court or another authority of a foreign jurisdiction in which the
18 information is located.

19 TAEC also objects to Interrogatory No. 14 pursuant to Rule 33(a)(1), which limits the
20 number of interrogatories that may be served by one party on another party to 25 (twenty-
21 five), including discrete subparts. Plaintiffs have already exceeded the 25-interrogatory limit
22 of Rule 33(a)(1).

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2 Dated: September 5, 2014

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21 TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC.'S OBJECTIONS AND RESPONSES TO
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CERTIFICATE OF SERVICE

On September 5, 2014, I caused a copy of the “TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC.’S OBJECTIONS AND RESPONSES TO INDIRECT PURCHASER PLAINTIFFS’ FIRST SET OF INTERROGATORIES TO TOSHIBA DEFENDANTS” to be served via e-mail upon:

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TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC.'S OBJECTIONS AND RESPONSES TO
INDIRECT PURCHASER PLAINTIFFS' FIRST SET OF INTERROGATORIES TO TOSHIBA
DEFENDANTS

Case No. 07-5944 SC
MDL No. 1917